



SAN FRANCISCO PLANNING DEPARTMENT

Discretionary Review Abbreviated Analysis

HEARING DATE: MARCH 12, 2020

CONTINUED TO APRIL 9, 2020

CONTINUED TO JULY 9, 2020

1650 Mission St.
Suite 400
San Francisco,
CA 94103-2479

Reception:
415.558.6378

Fax:
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Planning
Information:
415.558.6377

Date: July 2, 2020
Case No.: **2017-015039DRP**
Project Address: **350-352 San Jose Avenue**
Permit Application: 2018.0403.5430
Zoning: RM-2 [Residential Mixed, Moderate Density]
40-X Height and Bulk District
Block/Lot: 6532 / 010A
Project Sponsor: Amir Afifi
SIA Consulting
1256 Howard Street
San Francisco, CA 94112
Staff Contact: David Winslow – (415) 575-9159
david.winslow@sfgov.org
Recommendation: **Take DR and Approve with Modifications**

Regarding the continuance from April: the required rear yard was inaccurately depicted in the original 311 notice and window and door openings on the adjacent neighboring buildings were also omitted. Therefore, the project required adjustment to conform to the required rear yard along with additional drawing information. It was renoticed with that 30-day period expiring July 6.

PROJECT DESCRIPTION

The project proposes a 70-foot 6-inch horizontal addition and a 5-foot 8-inch vertical addition to add eight dwelling units to an existing two-story, four-dwelling unit residential building. The proposal also includes lifting and relocating the building 15 feet forward towards San Jose Avenue. The proposed three-story over basement residential building will provide a total of 12 dwelling units.

SITE DESCRIPTION AND PRESENT USE

The subject property is a two-story, four-dwelling unit residential building built in 1900 on a 43'-4" wide x 164'-9" deep irregular shaped upsloping lot that backs on to Juri commons, a public park, which runs diagonally through the middle of the block. The existing building is a category 'A' Historic Resource.

SURROUNDING PROPERTIES AND NEIGHBORHOOD

This block of San Jose has a development pattern of primarily two-story multi-unit residential buildings on wide lots of varying depth due to the diagonal geometry of Juri Commons. A fair number of buildings are detached, and the mid-block has several buildings located in the rear of their lots.

BUILDING PERMIT NOTIFICATION

| TYPE | REQUIRED PERIOD | NOTIFICATION DATES | DR FILE DATE | DR HEARING DATE | FILING TO HEARING TIME |
|------------|-----------------|-------------------------------------|------------------|-----------------|------------------------|
| 311 Notice | 30 days | November 6, 2019 – December 6, 2019 | December 6, 2019 | March 12, 2020 | 97 days |

HEARING NOTIFICATION

| TYPE | REQUIRED PERIOD | REQUIRED NOTICE DATE | ACTUAL NOTICE DATE | ACTUAL PERIOD |
|---------------|-----------------|----------------------|--------------------|---------------|
| Posted Notice | 20 days | February 21, 2020 | February 21, 2020 | 20 days |
| Mailed Notice | 20 days | February 21, 2020 | February 21, 2020 | 20 days |
| Online Notice | 20 days | February 21, 2020 | February 21, 2020 | 20 days |

PUBLIC COMMENT

| | SUPPORT | OPPOSED | NO POSITION |
|--|---------|---------|-------------|
| Adjacent neighbor(s) | 0 | 0 | 0 |
| Other neighbors on the block or directly across the street | 1 | 4 | 0 |
| Neighborhood groups | 0 | 0 | 0 |

DR REQUESTOR

Thomas Willis, of 330 San Jose, adjacent neighbor to the North.

DR REQUESTOR’S CONCERNS AND PROPOSED ALTERNATIVES

The project does not conform to the Code with respect to the required rear yard and the following Residential Design Guidelines:

1. “Articulate the Building to Minimize Impacts to Privacy”
2. “Design the Height and Depth of the Building to be Compatible with the Building Scale at the Mid-Block Open Space.”

Proposed alternatives: Reduce the building footprint at the rear and take other mutually agreeable measure to ensure privacy.

See attached *Discretionary Review Application*, dated December 6, 2019.

ENVIRONMENTAL REVIEW

The Department has determined that the proposed project is exempt/excluded from environmental review, pursuant to CEQA Guideline Section 15301 (Class One - Minor Alteration of Existing Facility, (e) Additions to existing structures provided that the addition will not result in an increase of more than 10,000 square feet).

RESIDENTIAL DESIGN TEAM REVIEW

The Residential Design Advisory Team re-reviewed the project in consideration of the DR Application and confirmed that the project meets the Code with respect to the required rear yard. The rear building of the adjacent lot may be used to reduce the depth of the rear yard by averaging.

Though the proposed building is code-complying, reasonable access to mid-block open space is required by the Residential Design Guidelines. The massing of the upper floors of the proposed building steps away from the adjacent neighbor to the North, which along with a 3' side setback maintains reasonable light and access to the mid-block open space.

However, the DR requestor's concerns regarding the loss of privacy is extraordinary or exceptional given the location and extent of the deck at the second floor, and the number and location of side facing windows on the first story. Therefore, staff recommends setting the deck back a minimum of 5 feet from both side building edges and eliminating unnecessary windows and treating others to be translucent.

| |
|--|
| RECOMMENDATION: Take DR and Approve with Modifications |
|--|

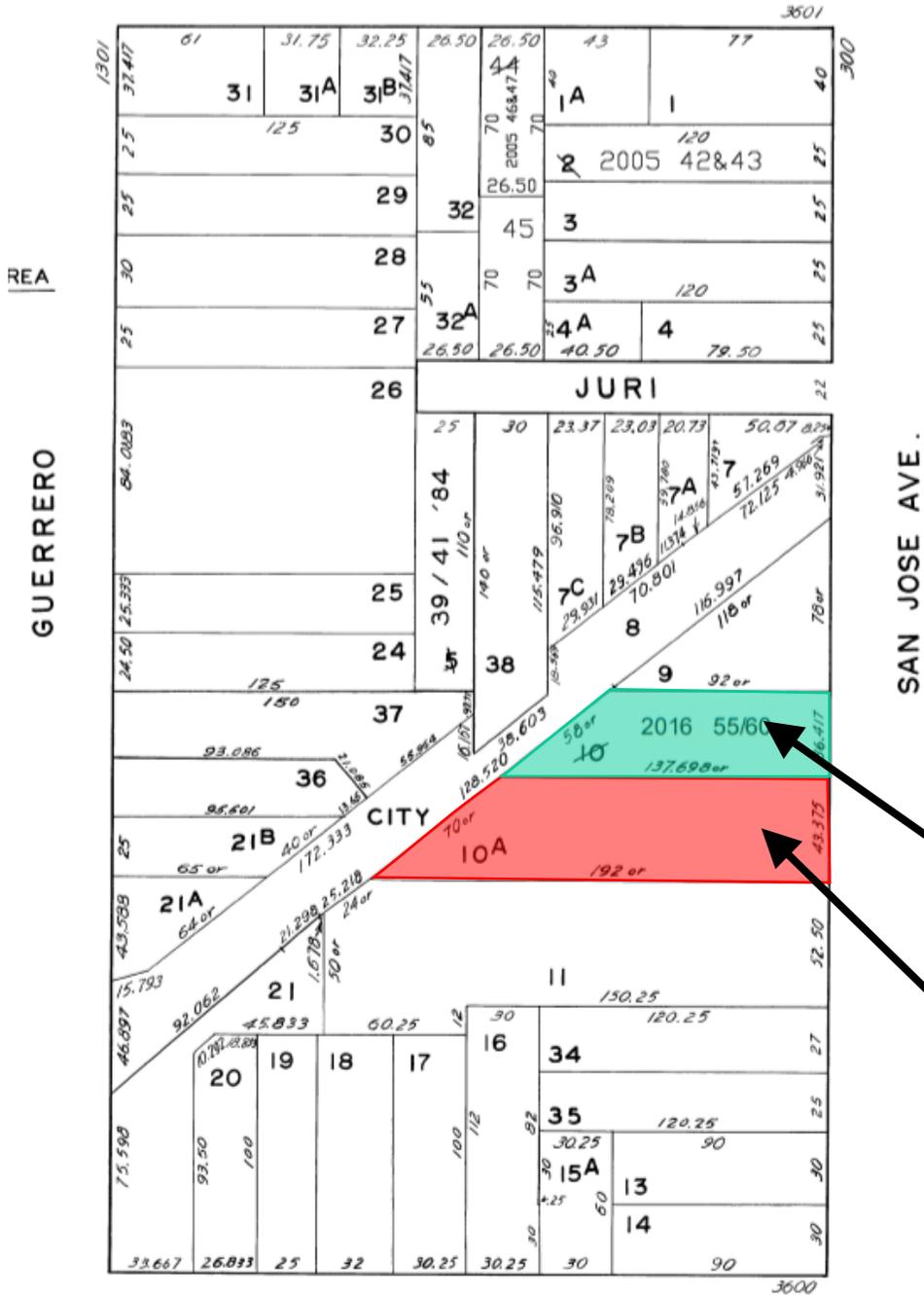
Attachments:

Block Book Map
Sanborn Map
Zoning Map
Aerial Photographs
Context Photographs
Section 311 Notice
CEQA Determination
DR Application dated December 6, 2019
Project Sponsor Submittal dated February 28, 2020
Reduced 311 Plans date 5.14.2020
DR requestor letter / easement exhibit
Letters and petition from neighbors

Exhibits

Parcel Map

25 TH



**DR REQUESTOR'S
PROPERTY**

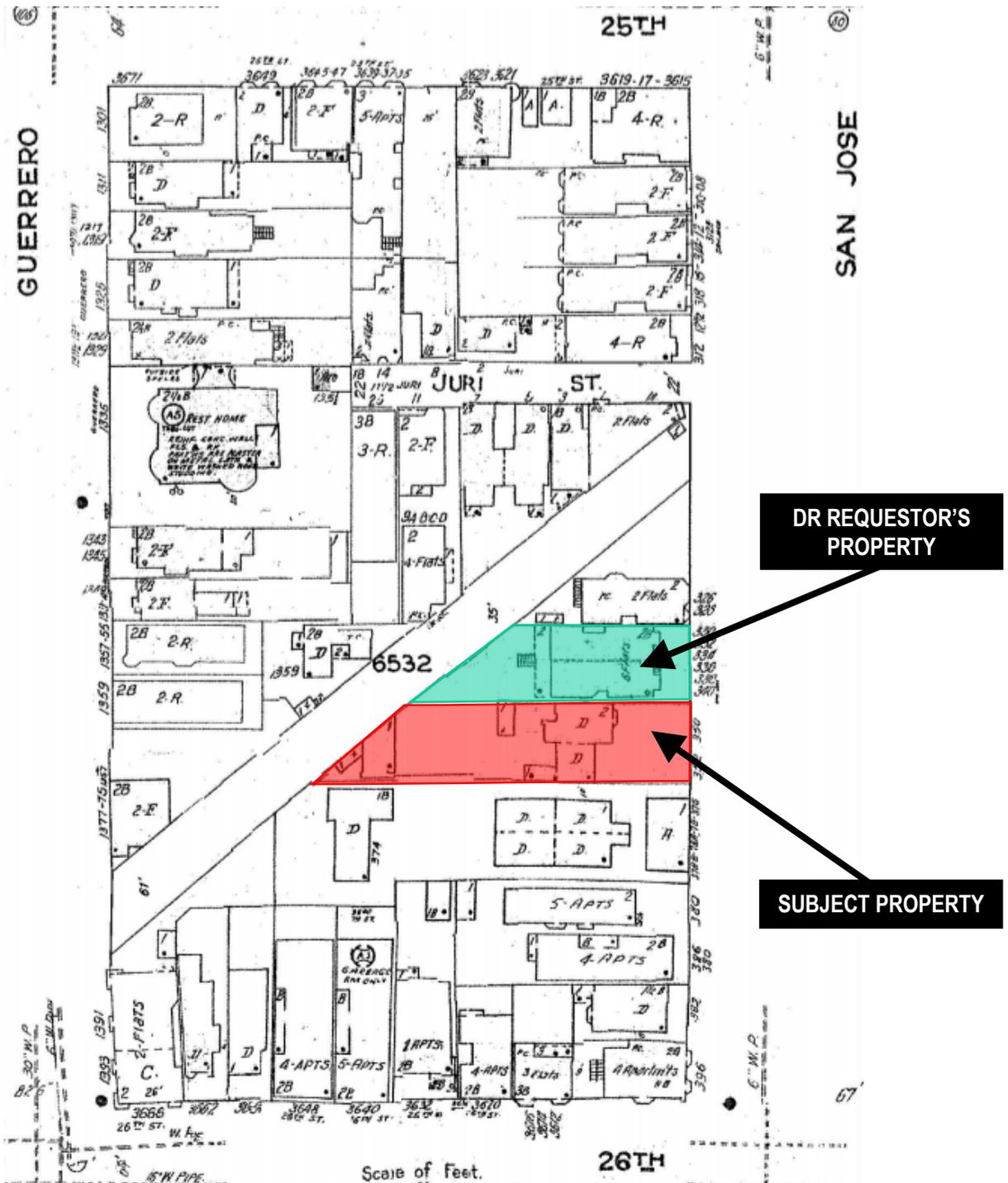
SUBJECT PROPERTY

26 TH



Discretionary Review Hearing
Case Number 2017-015039DRP
350 San Jose Avenue

Sanborn Map*



*The Sanborn Maps in San Francisco have not been updated since 1998, and this map may not accurately reflect existing conditions.



Discretionary Review Hearing
Case Number 2017-015039DRP
350 San Jose Avenue

Zoning Map



Discretionary Review Hearing
Case Number 2017-015039DRP
350 San Jose Avenue

Aerial Photo



SUBJECT PROPERTY

DR REQUESTOR'S PROPERTY



Discretionary Review Hearing
Case Number 2017-015039DRP
350 San Jose Avenue

Aerial Photo



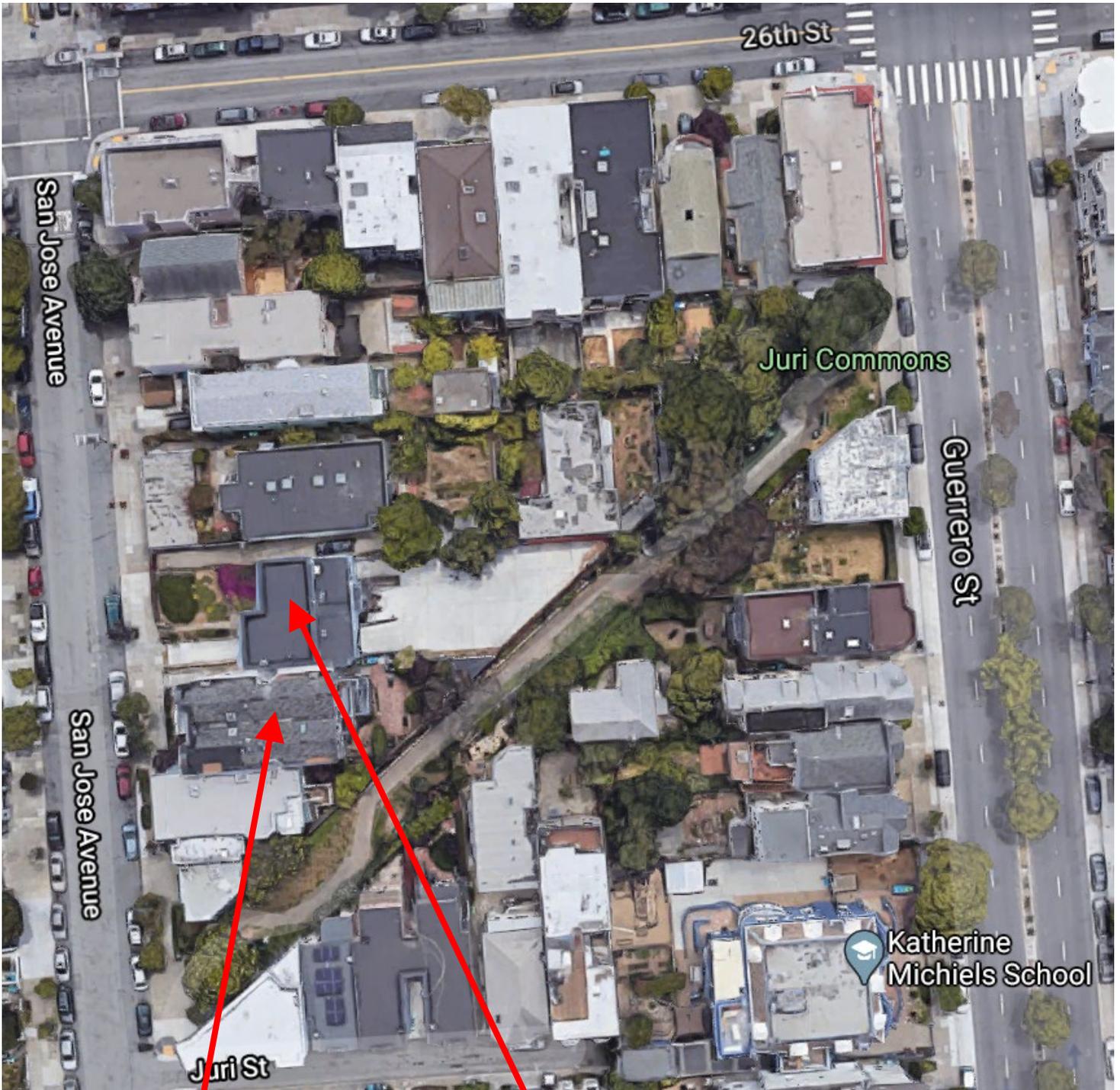
SUBJECT PROPERTY

DR REQUESTOR'S PROPERTY



Discretionary Review Hearing
Case Number 2017-015039DRP
350 San Jose Avenue

Aerial Photo



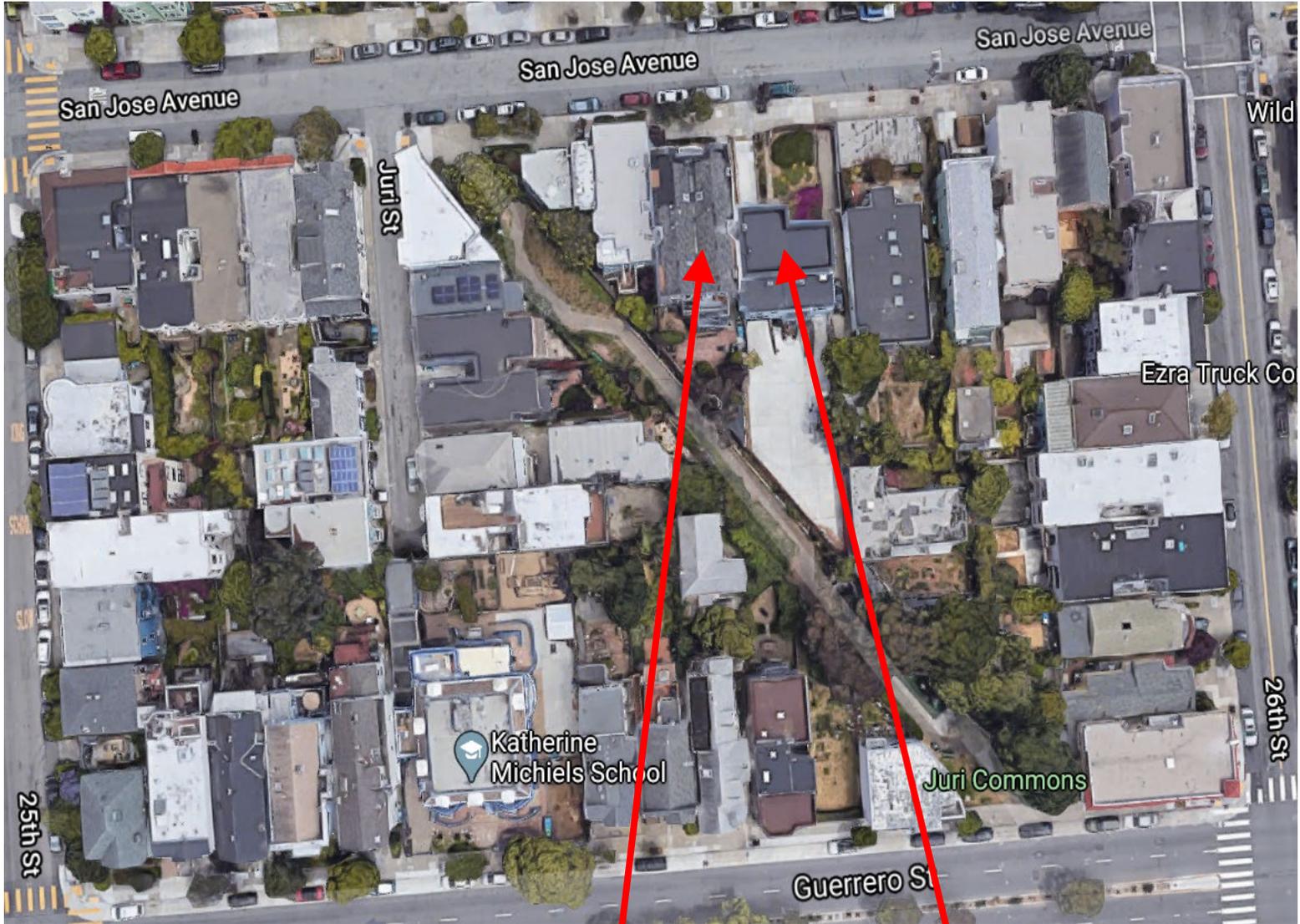
**DR REQUESTOR'S
PROPERTY**

SUBJECT PROPERTY



Discretionary Review Hearing
Case Number 2017-015039DRP
350 San Jose Avenue

Aerial Photo



**DR REQUESTOR'S
PROPERTY**

SUBJECT PROPERTY



Discretionary Review Hearing
Case Number 2017-015039DRP
350 San Jose Avenue

Site Photo



SUBJECT PROPERTY

Discretionary Review Hearing
Case Number 2017-015039DRP
350 San Jose Avenue



SAN FRANCISCO PLANNING DEPARTMENT

1650 Mission Street Suite 400 San Francisco, CA 94103

NOTICE OF BUILDING PERMIT APPLICATION (SECTION 311)

On **April 3, 2018**, Building Permit Application No. 201804035430 was filed for work at the Project Address below.

Notice Date: November 6th, 2019

Expiration Date: December 6th, 2019

| PROJECT INFORMATION | | APPLICANT INFORMATION | |
|---------------------|-----------------------------|-----------------------|--------------------------------|
| Project Address: | 350-352 SAN JOSE AVE | Applicant: | Amir Affi |
| Cross Street(s): | | Address: | 4742 Mission Street |
| Block/Lot No.: | 6532 / 010A | City, State: | San Francisco, CA 94112 |
| Zoning District(s): | RM-2 /40-X | Telephone: | 415.528.7021 |
| Record Number: | 2017-015039PRJ | Email: | amir@siaconsult.com |

You are receiving this notice as an owner or occupant of property within 150 feet of the proposed project. **You are not required to take any action.** For more information about the proposed project, or to express concerns about the project, please contact the Applicant listed above or the Planner named below as soon as possible. If you believe that there are exceptional or extraordinary circumstances associated with the project, you may request that the Planning Commission review this application at a public hearing for Discretionary Review. Requests for a Discretionary Review hearing must be filed during the 30-day review period, prior to the close of business on the Expiration Date shown above, or the next business day if that date is on a week-end or a legal holiday. If no Requests for Discretionary Review are filed, this project will be approved by the Planning Department after the Expiration Date.

Members of the public are not required to provide personal identifying information when they communicate with the Commission or the Department. All written or oral communications, including submitted personal contact information, may be made available to the public for inspection and copying upon request and may appear on the Department's website or in other public documents.

| PROJECT SCOPE | | |
|---|--|---|
| <input type="checkbox"/> Demolition | <input type="checkbox"/> New Construction | <input checked="" type="checkbox"/> Alteration |
| <input type="checkbox"/> Change of Use | <input checked="" type="checkbox"/> Façade Alteration(s) | <input checked="" type="checkbox"/> Front Addition |
| <input checked="" type="checkbox"/> Rear Addition | <input type="checkbox"/> Side Addition | <input checked="" type="checkbox"/> Vertical Addition |
| PROJECT FEATURES | EXISTING | PROPOSED |
| Building Use | Residential | No Change |
| Front Setback | 40 feet | 25 feet 1 inch |
| Side Setbacks | 3 feet 2 inches | No Change |
| Building Depth | 42 feet 2 inches | 112 feet 8 inches |
| Rear Yard | 109 feet 6 inches | 53 feet 11 inches |
| Building Height | 34 feet 2 inches | 40 feet |
| Number of Stories | 2 | 3 over basement |
| Number of Dwelling Units | 4 | 12 |
| Number of Parking Spaces | 5 | 4 |

PROJECT DESCRIPTION

The project includes a 70-foot 6 inch horizontal addition and a 5-foot 8-inch vertical addition to add eight dwelling units to an existing two-story, four-dwelling unit residential building. The proposal also includes lifting and relocating the building 15 feet forward towards San Jose Avenue. The proposed three-story over basement residential building will provide a total of 12 dwelling units.

The issuance of the building permit by the Department of Building Inspection or the Planning Commission project approval at a discretionary review hearing would constitute as the Approval Action for the project for the purposes of CEQA, pursuant to Section 31.04(h) of the San Francisco Administrative Code.

To view plans or related documents, visit sf-planning.org/notices and search the Project Address listed above. Once the property is located, click on the dot(s) to view details of the record number above, its related documents and/or plans.

For more information, please contact Planning Department staff:

Esmeralda Jardines, 415-575-9144, Esmeralda.Jardines@sfgov.org



SAN FRANCISCO PLANNING DEPARTMENT

Certificate of Determination Community Plan Evaluation

Case No.: 2017-015039ENV
Project Address: **350-352 San Jose Avenue**
Zoning: RM-2 (Residential – Mixed, Moderate Density) District
40-X Height and Bulk District
Mission District
Block/Lot: 6532/010A
Lot Size: 7,148 square feet
Plan Area: Eastern Neighborhoods Plan Area, Mission subarea
Project Sponsor: James Nunemacher, 350 San Jose LLC, (415) 321-7007
Staff Contact: Megan Calpin – (415) 575-9049
megan.calpin@sfgov.com

1650 Mission St.
Suite 400
San Francisco,
CA 94103-2479

Reception:
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PROJECT DESCRIPTION

The approximately 7,150-square-foot project site is located on the west side of San Jose Avenue, on the block bounded by 25th Street to the north, San Jose Avenue to the east, Guerrero Street to the west, and 26th Street to the south in the Mission neighborhood (see Figure 1, Location Map in Appendix). The existing building is a 3,562-square-foot, 34-foot-2-inch-tall, two-story-over-basement residential building constructed around 1900. The building contains four dwelling units. The building is set back 40 feet from the front property line. An existing 9'-7" curb cut on San Jose Avenue provides access to a driveway that goes underneath a portion of the building, providing vehicle access to a paved rear yard with 5 parking spaces.

The project proposes moving the existing building 15 feet forward on the lot, reducing the front set back to 25 feet. The project also proposes a horizontal and vertical addition to the building that would increase the residential square footage by approximately 9,192 square feet. One vertical floor would be added to the building, with a resulting height of 40 feet. Eight dwelling units would be added to the building—at the basement, first, second, and third floors. See Project Plans in Appendix for existing and proposed site plans and proposed floor plans and sections. The existing curb cut would remain and provide access to a new below-grade garage. The driveway underneath the building would be filled in to accommodate basement-level units and a garage with four vehicle parking spaces and 12 Class 1 bicycle spaces.

Approval Action: The approval action is a building permit. If discretionary review before the planning commission is requested, the discretionary review hearing is the approval action for the project. If no discretionary review is requested, the issuance of the building permit is the approval action. The approval action date establishes the start of the 30-day appeal period for this CEQA determination pursuant to section 31.04(h) of the San Francisco Administrative Code.

COMMUNITY PLAN EVALUATION OVERVIEW

California Environmental Quality Act (CEQA) section 21083.3 and CEQA Guidelines section 15183 provide that projects that are consistent with the development density established by existing zoning,

community plan or general plan policies for which an environmental impact report (EIR) was certified, shall not be subject to additional environmental review except as might be necessary to examine whether there are project-specific significant effects which are peculiar to the project or its site. Section 15183 specifies that examination of environmental effects shall be limited to those effects that: a) are peculiar to the project or parcel on which the project would be located; b) were not analyzed as significant effects in a prior EIR on the zoning action, general plan or community plan with which the project is consistent; c) are potentially significant off-site and cumulative impacts that were not discussed in the underlying EIR; or d) are previously identified in the EIR, but which, as a result of substantial new information that was not known at the time that the EIR was certified, are determined to have a more severe adverse impact than that discussed in the underlying EIR. Section 15183(c) specifies that if an impact is not peculiar to the parcel or to the proposed project, then an EIR need not be prepared for the project solely on the basis of that impact.

This determination evaluates the potential project-specific environmental effects of the 350-352 San Jose Avenue project described above and incorporates by reference information contained in the programmatic EIR for the Eastern Neighborhoods Rezoning and Area Plans (PEIR)¹. Project-specific studies were prepared for the proposed project to determine if the project would result in any significant environmental impacts that were not identified in the Eastern Neighborhoods PEIR.

FINDINGS

As summarized in the initial study – community plan evaluation prepared for the proposed project²:

1. The proposed project is consistent with the development density established for the project site in the Eastern Neighborhoods Rezoning and Area Plans;
2. The proposed project would not result in effects on the environment that are peculiar to the project or the project site that were not identified as significant effects in the Eastern Neighborhoods PEIR;
3. The proposed project would not result in potentially significant off-site or cumulative impacts that were not identified in the Eastern Neighborhoods PEIR;
4. The proposed project would not result in significant effects, which, as a result of substantial new information that was not known at the time the Eastern Neighborhoods PEIR was certified, would be more severe than were already analyzed and disclosed in the PEIR; and
5. The project sponsor will undertake a feasible mitigation measure specified in the Eastern Neighborhoods PEIR to mitigate project-related significant impacts.

Mitigation measure is included in this project and the project sponsor has agreed to implement this measure. See the attached Mitigation Monitoring and Reporting Program (MMRP) for the full text of the required mitigation measure.

¹ Planning Department Case No. 2004.0160E and State Clearinghouse No. 2005032048

² The initial study – community plan evaluation is available for review at the San Francisco Property Information Map, which can be accessed at <https://sfplanninggis.org/PIM/>. The file can be viewed by clicking on the Planning Applications link, clicking the “More Details” link under the project’s environmental case number (2017-015039ENV) and then clicking on the “Related Documents” link.

CEQA DETERMINATION

The project is eligible for streamlined environmental review per section 15183 of the CEQA Guidelines and California Public Resources Code section 21083.3.

DETERMINATION

I do hereby certify that the above determination has been made pursuant to State and local requirements.



Lisa Gibson
Environmental Review Officer



Date

ATTACHMENTS

- A. MMRP
- B. Initial Study – Community Plan Evaluation
- C. Appendix (Figures)

CC: Amir Afifi, SIA Consulting Group, Project Sponsor;

Supervisor Hillary Ronen, District 9;

Esmeralda Jardines, Current Planning Division;

Jonathan Moftakhar and James Nunemacher, 350 San Jose LLC, Property Owner.

MITIGATION MONITORING AND REPORTING PROGRAM

| | MONITORING AND REPORTING PROGRAM | | | |
|--|--|--|--|---|
| Adopted Mitigation Measures | Implementation Responsibility | Mitigation Schedule | Monitoring/Reporting Responsibility | Monitoring Actions/ Schedule and Verification of Compliance |
| MITIGATION MEASURES AGREED TO BY PROJECT SPONSOR | | | | |
| Mitigation Measure M-CR-2c: Archeological Testing | | | | |
| <p>Based on a reasonable presumption that archeological resources may be present within the project site, the following measures shall be undertaken to avoid any potentially significant adverse effect from the proposed project on buried or submerged historical resources. The project sponsor shall retain the services of a qualified archeological consultant having expertise in California prehistoric and urban historical archeology. The archeological consultant shall undertake an archeological testing program as specified herein. In addition, the consultant shall be available to conduct an archeological monitoring and/or data recovery program if required pursuant to this measure. The archeological consultant's work shall be conducted in accordance with this measure at the direction of the Environmental Review Officer (ERO). All plans and reports prepared by the consultant as specified herein shall be submitted first and directly to the ERO for review and comment, and shall be considered draft reports subject to revision until final approval by the ERO. Archeological monitoring and/or data recovery programs required by this measure could suspend construction of the project for up to a maximum of four weeks. At the direction of the ERO, the suspension of construction can be extended beyond four weeks only if such a suspension is the only feasible means to reduce to a less than significant level potential effects on a significant archeological resource as defined in CEQA Guidelines Sect. 15064.5 (a)(c).</p> | <p>Project sponsor/ archeological consultant at the direction of the Environmental Review Officer (ERO).</p> | <p>Prior to issuance of site permits</p> | <p>Project sponsor to retain a qualified archeological consultant who shall report to the ERO. Qualified archeological consultant will scope archeological testing program with ERO.</p> | <p>Archeological consultant shall be retained prior to issuing of site permit. Archeological consultant has approved scope by the ERO for the archeological testing program Date Archeological consultant retained: _____</p> <p>Date Archeological consultant received approval for archeological testing program scope: _____</p> |
| <p><i>Archeological Testing Program.</i> The archeological consultant shall prepare and submit to the ERO for review and approval an archeological testing plan (ATP). The archeological testing program shall be conducted in accordance with the approved ATP. The ATP</p> | <p>Project sponsor/ archeological consultant at the</p> | <p>Prior to any soil- disturbing activities on the project site.</p> | <p>Archeologist shall prepare and submit draft ATP to the ERO. ATP to be submitted and reviewed</p> | <p>Date ATP submitted to the ERO: _____</p> |

MITIGATION MONITORING AND REPORTING PROGRAM

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|--|---|---|--|--|
| Adopted Mitigation Measures | Implementation Responsibility | Mitigation Schedule | Monitoring/Reporting Responsibility | Monitoring Actions/ Schedule and Verification of Compliance |
| <p>shall identify the property types of the expected archeological resource(s) that potentially could be adversely affected by the proposed project, the testing method to be used, and the locations recommended for testing. The purpose of the archeological testing program will be to determine to the extent possible the presence or absence of archeological resources and to identify and to evaluate whether any archeological resource encountered on the site constitutes an historical resource under CEQA.</p> | <p>direction of the ERO.</p> | | <p>by the ERO prior to any soils disturbing activities on the project site.</p> | <p>Date ATP approved by the ERO: _____</p> <p>Date of initial soil disturbing activities: _____</p> |
| <p>At the completion of the archeological testing program, the archeological consultant shall submit a written report of the findings to the ERO. If based on the archeological testing program the archeological consultant finds that significant archeological resources may be present, the ERO in consultation with the archeological consultant shall determine if additional measures are warranted. Additional measures that may be undertaken include additional archeological testing, archeological monitoring, and/or an archeological data recovery program. If the ERO determines that a significant archeological resource is present and that the resource could be adversely affected by the proposed project, at the discretion of the project sponsor either:</p> <ol style="list-style-type: none"> a. The proposed project shall be re-designed so as to avoid any adverse effect on the significant archeological resource; or b. A data recovery program shall be implemented, unless the ERO determines that the archeological resource is of greater interpretive than research significance and that interpretive use of the resource is feasible. | <p>Project sponsor/ archeological consultant at the direction of the ERO.</p> | <p>After completion of the Archeological Testing Program.</p> | <p>Archeological consultant shall submit report of the findings of the ATP to the ERO.</p> | <p>Date archeological findings report submitted to the ERO: _____</p> <p>ERO determination of significant archeological resource present? Y N</p> <p>Would resource be adversely affected? Y N</p> <p>Additional mitigation to be undertaken by project sponsor? Y N</p> |
| <p><i>Archeological Data Recovery Program.</i> The archeological data recovery program shall be conducted in accord with an archeological data recovery plan (ADRP). The archeological consultant, project sponsor,</p> | <p>Archeological consultant at the</p> | <p>If there is a determination that an ADRP</p> | <p>Project sponsor/ archeological consultant/ archeological monitor/</p> | <p>ADRP required? Y N</p> <p>Date: _____</p> |

MITIGATION MONITORING AND REPORTING PROGRAM

| MONITORING AND REPORTING PROGRAM | | | | |
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| Adopted Mitigation Measures | Implementation Responsibility | Mitigation Schedule | Monitoring/Reporting Responsibility | Monitoring Actions/ Schedule and Verification of Compliance |
| <p>and ERO shall meet and consult on the scope of the ADRP prior to preparation of a draft ADRP. The archeological consultant shall submit a draft ADRP to the ERO. The ADRP shall identify how the proposed data recovery program will preserve the significant information the archeological resource is expected to contain. That is, the ADRP will identify what scientific/historical research questions are applicable to the expected resource, what data classes the resource is expected to possess, and how the expected data classes would address the applicable research questions. Data recovery, in general, should be limited to the portions of the historical property that could be adversely affected by the proposed project. Destructive data recovery methods shall not be applied to portions of the archeological resources if nondestructive methods are practical.</p> <p>The scope of the ADRP shall include the following elements:</p> <ul style="list-style-type: none"> • <i>Field Methods and Procedures.</i> Descriptions of proposed field strategies, procedures, and operations. • <i>Cataloguing and Laboratory Analysis.</i> Description of selected cataloguing system and artifact analysis procedures. • <i>Discard and Deaccession Policy.</i> Description of and rationale for field and post-field discard and deaccession policies. • <i>Interpretive Program.</i> Consideration of an on-site/off-site public interpretive program during the course of the archeological data recovery program. • <i>Security Measures.</i> Recommended security measures to protect the archeological resource from vandalism, looting, and non-intentionally damaging activities. • <i>Final Report.</i> Description of proposed report format and distribution of results. <p><i>Curation.</i> Description of the procedures and recommendations for the curation of any recovered data having potential research value,</p> | direction of the ERO | program is required | contractor(s) shall prepare an ADRP if required by the ERO. | <p>Date of scoping meeting for ARDP: _____</p> <p>_____</p> <p>Date Draft ARDP submitted to the ERO: _____</p> <p>_____</p> <p>Date ARDP approved by the ERO: _____</p> <p>Date ARDP implementation complete: _____</p> |

MITIGATION MONITORING AND REPORTING PROGRAM

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| Adopted Mitigation Measures | Implementation Responsibility | Mitigation Schedule | Monitoring/ Reporting Responsibility | Monitoring Actions/ Schedule and Verification of Compliance |
| <p>identification of appropriate curation facilities, and a summary of the accession policies of the curation facilities.</p> | | | | |
| <p><i>Human Remains and Associated or Unassociated Funerary Objects.</i> The treatment of human remains and of associated or unassociated funerary objects discovered during any soils disturbing activity shall comply with applicable State and federal laws. This shall include immediate notification of the Medical Examiner of the City and County of San Francisco and, in the event of the Medical Examiner’s determination that the human remains are Native American remains, notification of the California State Native American Heritage Commission, which will appoint a Most Likely Descendant (MLD). The MLD will complete his or her inspection of the remains and make recommendations or preferences for treatment within 48 hours of being granted access to the site (Public Resources Code section 5097.98). The ERO also shall be notified immediately upon the discovery of human remains.</p> | <p>Project sponsor / archeological consultant in consultation with the San Francisco Medical Examiner, NAHC, and MLD.</p> | <p>If human remains and/or funerary objects are found, coroner notification immediately; NAHC appoint MLD within 24 hours; MLD inspects remains within 48 hours of access</p> | <p>Project sponsor/ archeological consultant to monitor (throughout all soil disturbing activities) for human remains and associated or unassociated funerary objects and, if found, contact the San Francisco Medical Examiner/ NAHC/ MLD</p> | <p>Human remains and associated or unassociated funerary objects found? Y N Date:_____</p> <p>Persons contacted: Date:_____</p> <p>Persons contacted: Date:_____</p> <p>Inspection date:_____</p> <p>Recommendations received by sponsor and ERO:_____</p> <p>Burial Agreement received or ERO/sponsor determine that agreement cannot be reached Date:_____</p> <p>Considered complete on finding by ERO that all State laws regarding human remains/burial objects</p> |
| <p>The project sponsor and ERO shall make all reasonable efforts to develop a Burial Agreement (“Agreement”) with the MLD, as expeditiously as possible, for the treatment and disposition, with appropriate dignity, of human remains and associated or unassociated funerary objects (as detailed in CEQA Guidelines section 15064.5(d)). The Agreement shall take into consideration the appropriate excavation, removal, recordation, scientific analysis, custodianship, curation, and final disposition of the human remains and associated or unassociated funerary objects. If the MLD agrees to scientific analyses of the remains and/or associated or unassociated funerary objects, the archaeological consultant shall retain possession of the remains and associated or unassociated funerary objects until completion of any such analyses, after which the remains and</p> | | | <p>MLD to inspect the remains and make treatment and disposition recommendations MLD, ERO, Sponsor to develop Burial Agreement</p> <p>ERO to ensure that Agreement is implemented as specified and burial disposition has occurred as agreed.</p> | |

MITIGATION MONITORING AND REPORTING PROGRAM

| MONITORING AND REPORTING PROGRAM | | | | |
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| Adopted Mitigation Measures | Implementation Responsibility | Mitigation Schedule | Monitoring/Reporting Responsibility | Monitoring Actions/ Schedule and Verification of Compliance |
| <p>associated or unassociated funerary objects shall be reinterred or curated as specified in the Agreement.</p> <p>Nothing in existing State regulations or in this mitigation measure compels the project sponsor and the ERO to accept treatment recommendations of the MLD. However, if the ERO, project sponsor and MLD are unable to reach an Agreement on scientific treatment of the remains and associated or unassociated funerary objects, the ERO, with cooperation of the project sponsor, shall ensure that the remains associated or unassociated funerary objects are stored securely and respectfully until they can be reinterred on the property, with appropriate dignity, in a location not subject to further or future subsurface disturbance.</p> <p>Treatment of historic-period human remains and of associated or unassociated funerary objects discovered during any soil-disturbing activity, additionally, shall follow protocols laid out in the project's archaeological treatment documents, and in any related agreement established between the project sponsor, Medical Examiner and the ERO.</p> <p><i>Final Archeological Resources Report.</i> The archeological consultant shall submit a Draft Final Archeological Resources Report (FARR) to the ERO that evaluates the historical significance of any discovered archeological resource and describes the archeological and historical research methods employed in the archeological testing/monitoring/data recovery program(s) undertaken. Information that may put at risk any archeological resource shall be provided in a separate removable insert within the final report. Once approved by the ERO, copies of the FARR shall be distributed as follows: California Archaeological Site Survey Northwest Information</p> | | | | <p>have been adhered to, consultation with MLD is completed as warranted, that sufficient opportunity has been provided to the archaeological consultant for any scientific /historical analysis of remains/funerary objects specified in the Agreement, and the agreed-upon disposition of the remains has occurred. Date: _____</p> <p>Following completion of soil disturbing activities. Considered complete upon distribution of final FARR. Date Draft FARR submitted to ERO: _____</p> |

MITIGATION MONITORING AND REPORTING PROGRAM

| MONITORING AND REPORTING PROGRAM | | | | |
|--|-------------------------------|---------------------|-------------------------------------|--|
| Adopted Mitigation Measures | Implementation Responsibility | Mitigation Schedule | Monitoring/Reporting Responsibility | Monitoring Actions/ Schedule and Verification of Compliance |
| <p>Center (NWIC) shall receive one (1) copy and the ERO shall receive a copy of the transmittal of the FARR to the NWIC. The Major Environmental Analysis division of the Planning Department shall receive three copies of the FARR along with copies of any formal site recordation forms (CA DPR 523 series) and/or documentation for nomination to the National Register of Historic Places/California Register of Historical Resources. In instances of high public interest in or the high interpretive value of the resource, the ERO may require a different final report content, format, and distribution than that presented above.</p> | | | | <p>Date FARR approved by ERO: _____</p> <p>Date of distribution of Final FARR: _____</p> <p>Date of submittal of Final FARR to information center: _____</p> |



DISCRETIONARY REVIEW PUBLIC (DRP)

APPLICATION PACKET

Pursuant to Planning Code Section 311, the Planning Commission may exercise its power of Discretionary Review over a building permit application.

For questions, call 415.558.6377, email pic@sfgov.org, or visit the Planning Information Center (PIC) at 1660 Mission Street, First Floor, San Francisco, where planners are available to assist you.

Please read the [Discretionary Review Informational Packet](#) carefully before the application form is completed.

WHAT TO SUBMIT:

- Two (2) complete applications signed.
- A Letter of Authorization from the DR requestor giving you permission to communicate with the Planning Department on their behalf, if applicable.
- Photographs or plans that illustrate your concerns.
- Related covenants or deed restrictions (if any).
- A digital copy (CD or USB drive) of the above materials (optional).
- Payment via check, money order or debit/credit for the total fee amount for this application. (See [Fee Schedule](#)).

HOW TO SUBMIT:

To file your Discretionary Review Public application, please submit in person at the Planning Information Center:

Location: 1660 Mission Street, Ground Floor
San Francisco, CA 94103-2479

Español: Si desea ayuda sobre cómo llenar esta solicitud en español, por favor llame al 415.575.9010. Tenga en cuenta que el Departamento de Planificación requerirá al menos un día hábil para responder

中文: 如果您希望獲得使用中文填寫這份申請表的幫助, 請致電415.575.9010。請注意, 規劃部門需要至少一個工作日來回應。

Tagalog: Kung gusto mo ng tulong sa pagkumpleto ng application na ito sa Filipino, paki tawagan ang 415.575.9010. Paki tandaan na mangangailangan ang Planning Department ng hindi kukulangin sa isang araw na pantrabaho para makasagot.



DISCRETIONARY REVIEW PUBLIC (DRP) APPLICATION

Discretionary Review Requestor's Information

Name: Thomas Willis

Address: 330 San Jose Ave., San Francisco CA 94110

Email Address: twillis623@gmail.com

Telephone: 415.860.1145

Information on the Owner of the Property Being Developed

Name: Amir Afifi (project applicant; Leo Cassidy is developer)

Company/Organization: SIA Consulting

Address: 4742 Mission Street, San Francisco, CA 94112

Email Address: amir@siaconsult.com

Telephone: 415.528.7021

Property Information and Related Applications

Project Address: 350-352 San Jose Ave.

Block/Lot(s): 6532 / 010A

Building Permit Application No(s): 2017-015039PRJ

ACTIONS PRIOR TO A DISCRETIONARY REVIEW REQUEST

| PRIOR ACTION | YES | NO |
|---|-------------------------------------|-------------------------------------|
| Have you discussed this project with the permit applicant? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Did you discuss the project with the Planning Department permit review planner? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Did you participate in outside mediation on this case? (including Community Boards) | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| <p>Changes Made to the Project as a Result of Mediation. If you have discussed the project with the applicant, planning staff or gone through mediation, please summarize the result, including any changes that were made to the proposed project.</p> | | |

I have had two phone calls with the project applicant (Amir Afifi and Leo Cassidy) and tried on numerous occasions to speak with the Planning Department but without success until about 11am on Dec 6, the last day to submit. On May 29, 2018, I wrote Richard Sucre at Planning about the concerns raised here (and called), but received no response until we all recieved the 30 day Notice of Building Permit. I then emailed and called Ms. Jardines on Nov. 25, 2019 with these same concerns; however, she was on vacation until Dec 2. I then called her again on Dec 2 but did not hear back. On Dec. 4, I spoke with the project applicant, and he contacted Ms. Jardines to call me, which she did on Dec. 5, but I was in a meeting. I called and emailed her over last two days. She did call back on Dec 6, right before this was due, but could only speak for about 15 min.

DISCRETIONARY REVIEW REQUEST

In the space below and on separate paper, if necessary, please present facts sufficient to answer each question.

1. What are the reasons for requesting Discretionary Review? The project meets the standards of the Planning Code and the Residential Design Guidelines. What are the exceptional and extraordinary circumstances that justify Discretionary Review of the project? How does the project conflict with the City's General Plan or the Planning Code's Priority Policies or Residential Design Guidelines? Please be specific and cite specific sections of the Residential Design Guidelines.

I am concerned the plan doesn't meet Code with respect to the backyard area. This is RM-2, so the rule is 45% unless the average of the neighbors gets you to 25%. The PPA, at page 8, states "As proposed, the project does not demonstrate compliance with the required rear yard . . . A rear yard variance will need to be sought and justified." No variance has been sought. 370-374 San Jose has two buildings on the lot - one at front and one at back. The one at back is nonconforming. The planner advised that the backwall of the non-conforming structure could be used for averaging. I want to be sure of that; it doesn't seem reasonable and disregards the open space between the two buildings. The back area is critical to us (neighbors at 330-340 San Jose) because as drawn, the new building would block a substantial portion of natural light and air, and would adversely affect our privacy. Building also comes to 3-4' of our building with windows on that side, facing us. Quality of life for neighbors and visitors to Juri Commons will be adversely affected.

-
2. The Residential Design Guidelines assume some impacts to be reasonable and expected as part of construction. Please explain how this project would cause unreasonable impacts. If you believe your property, the property of others or the neighborhood would be unreasonably affected, please state who would be affected, and how.

The impacts would be unreasonable because a 40' building, with windows and balconies, will now come to within a few feet of our property line and extend approximately 30 feet beyond our building footprint, blocking sun and natural light into the back windows of our units and our garden. And with terraced balconies off to the back and windows within a few feet of our windows, there will be a loss of privacy. We rely on our back windows for our natural light.

-
3. What alternatives or changes to the proposed project, beyond the changes (if any) already made would respond to the exceptional and extraordinary circumstances and reduce the adverse effects noted above in question #1?

I would like to verify that the project can go back to the 25% line without a variance; hours before this was due, the planner called me back but I haven't had sufficient time to confirm. Equally important, we would like the project applicant to consider reducing the building footprint in the back (by moving the building forward), and take other reasonable and mutually agreeable steps, such as fencing and hedges, to ensure more privacy for the neighbors on each side.

DISCRETIONARY REVIEW REQUESTOR'S AFFIDAVIT

Under penalty of perjury the following declarations are made:

a) The undersigned is the DR requestor or their authorized representation.



Thomas Willis

Signature

Name (Printed)

Requestor

415.860.1145

twillis623@gmail.com

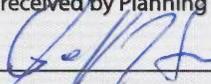
Relationship to Requestor
(i.e. Attorney, Architect, etc.)

Phone

Email

For Department Use Only

Application received by Planning Department:

By:  _____

Date: 12/6/19 _____

350 San Jose Ave

Tom Willis

From: Tom Willis
Sent: Tuesday, May 29, 2018 5:21 PM
To: 'Richard.Sucre@sfgov.org'
Subject: 350 San Jose Ave
Attachments: Inquiry about 350 San Jose Ave. (00344105xAEB03).docx

Dear Mr. Sucre: Please find attached a letter inquiry about the project proposed for the lot next to ours – 350 San Jose Ave. We were hoping to get a couple of answers about the project that we can't figure out based on the plans we received at the public meeting. If we should direct this to someone else at SF Planning, please let me know. Thanks in advance for your help. Tom Willis

Tom Willis and Julie Henderson
twillis@rjp.com/juliehenderson317@gmail.com
330 San Jose Ave.
San Francisco CA 94110

Carlo Camozzi
carlocamozzi@me.com
1443 21st Ave
San Francisco CA 94110

May 20, 2018

Richard Sucre
Team Leader, Southwest Quadrant
San Francisco Planning Department
1650 Mission Street, Suite 400
San Francisco, CA 94103

Re: 350 San Jose Ave. (Case No. 2017-015039)

Dear Mr. Sucre:

We are owners of two condos in the building next door to 350 San Jose Ave., the owners of which have submitted a plan to expand the building from four to twelve units by extending the building in the rear yard (and also increase the height). Tom and Julie own and live at 330 San Jose Ave., which is a ground floor unit with direct access to our backyard garden; Carlo owns and rents out 338 San Jose Ave., a second-floor unit on the side of the building next to the proposed project. Both Carlo and Tom went to the owner's public meeting a few months ago and picked up a copy of the proposed plan.

The purpose of our letter is to inquire as to whether the project can be approved as is without additional conditional approvals or variances. The plans seem unclear on this, especially on the issue that has the greatest impact on us – whether the owners can expand the building significantly in the back of their lot, which would impact the sunlight we get in the back of our condos and in the garden. This would also have an impact on Juri Commons Park since the rear of the building would be very close to the park line.

Specifically, the written Scope of Work section of the plan (the first page) states that the addition will consist of "Horizontal addition to 45% setback line." But then the drawings indicate that the new building will be built to the 25% setback line, not the 45% line. This seems contradictory. Further, assuming the owner wants to build to the 25% line (which seems to be the case), we can't tell if he has a right to do that.

At the public hearing, the owner and consultant said they don't need any conditional approvals or variances to proceed. Does that mean the owner is going to stay at the 45% line? If not, does he have a right to go to the 25% line?

We would really appreciate if you could clarify the following for us:

- Does the owner intend to build at the 45% or 25% rear set-back line?
- If he wants to build at the 25% line, does he have a right to do that?
- Does he need a variance, and if so what is the process for that and when would that occur?

Thank you for your help in advance, and feel free to just email us.

Sincerely,

Tom Willis

350 San Jose Ave

From: Tom Willis
Sent: Monday, November 25, 2019 9:44 AM
To: Esmeralda.Jardines@sfgov.org
Subject: 350-352 San Jose Ave (Building Permit Application 20180435430)

Dear Ms. Jardines: I own and live in a condo (330 San Jose Ave) next door to the proposed project listed above. I wrote last year to the Planning Department expressing my concern that - as stated on page 8 of the PPA - the project as proposed violated the 45% rear backyard rule and would require a variance. I don't see any indication that the owners have requested a variance - is that correct? In addition, the PPA stated that that any Environmental Evaluation Application and Variance had to be submitted no later than August 8, 2019, yet we haven't received any notice that either of those have been submitted timely - can you let me know if that is correct? In short, I can't see any changes in the plans that show that the project has been changed to accommodate the comments and requirements in the PPA (for example, isn't this a complete demolition, not just 50% of the building?). In fact, it looks like the building size has gotten **larger, not smaller**, by extending the front closer to the street, but not reducing the build-out in the backyaerd, which has a significant detrimental affect on us.

My main concern here is that the mass of the building in the rear will impinge on our light, air, sun and privacy as well as affect Juri Commons. The obvious solution to this is to move the building mass forward much closer to the street (thereby aligning the building mass more with our building) where light issues are not an issue for us or our neighbors in the front, and reduce the size of the building in the back, to both to comply with the 45% rule and provide us and Juri Commons light, air and privacy. Can you please call me when you get back on vacation on December 2? I want to make sure we preserve our rights, particularly with respect to the back yard 45% requirement. I'm not opposed to a new building next door and want to collaborate but the mass of the project as proposed and the back yard issue is a significant issue for us. Thanks so much! Tom

Thomas Willis
Remcho Johansen & Purcell, LLP
1901 Harrison Street, Suite 1550
Oakland, CA 94612
(510) 346-6204
tw@rjp.com

4

350 San Jose Ave

Tom Willis

From: Tom Willis
Sent: Thursday, December 5, 2019 2:32 PM
To: Esmeralda.Jardines@sfgov.org
Cc: Amir Afifi
Subject: 350 San Jos Ave

Esmeralda – Thanks for calling an sorry I missed it (was on call myself). Can you please call me back today if pososble – 415.860.1145 – should be pretty quick – thans, Tom Willis

Thomas Willis

Remcho Johansen & Purcell, LLP
1901 Harrison Street, Suite 1550
Oakland, CA 94612
(510) 346-6204
tw@rjp.com

Tom Willis

350 San Jose Ave

From: Tom Willis
Sent: Friday, December 6, 2019 8:18 AM
To: Esmeralda.Jardines@sfgov.org
Subject: 350 San Jose Ave - Planning Permit

Importance: High

Ms. Jardines – Could you please call me at our earliest convenience this morning? As discussed in my other emails, I'd like to get your input about how the developer can go back to the 25% backyard line with the alternate method of averaging the backyards of adjacent properties. We (330-340 San Jose) don't go back that far) and the main building of the neighbors (370 San Jose) don't go that far either. So I wanted to know how 370 San Jose is treated in that calculation:

- There are 2 buildings on the site but with a big open space/backyard in between – how is that open space accounted for? Isn't there any consideration for the large backyard area between the buildings?
- Is the back structure non-conforming on 370 San Jose (how can there be 2 buildings on the parcel) and if so, can the developer rely on it as the back wall for purposes of the calculation? The developer is relying on the back structure for his calculation.
- The bottom line is both neighbors have very large open spaces in the back that will be overwhelmed by this building that goes to the property line on both sides and creates a 40' wall next to much of those open spaces – given the large amount of open space on either side, it doesn't seem like the building could go back 25%. Can't the building footprint be moved forward to better align with the surrounding buildings?

Thank you – you can reach me on my cell – 415.860.1145 or at work 510.346.6204

Tom Willis

Tom Willis

350 Surfers Ave

From: Andrew Leichman <alrgjoey@gmail.com>
Sent: Friday, December 6, 2019 8:42 AM
To: Tom Willis
Subject: Bldg

non conforming building -
can't be used



Sent from my iPhone

Tom Willis

350 Sun Jags Ave

From: Andrew Leichman <alrgjoey@gmail.com>
Sent: Friday, December 6, 2013 8:45 AM
To: Tom Willis
Subject: Bidg3



Sent from my iPhone

8

Tom Willis

350 Sun Jaxx Ave

From: Andrew Leichman <alrgjoey@gmail.com>
Sent: Friday, December 6, 2019 8:49 AM
To: Tom Willis
Subject: Walkway



Sent from my iPhone

3-4' gap





PROJECT NAME
350 SAN JOSE AVE.
 SAN FRANCISCO, CA



SIA CONSULTING CORPORATION
 4742 MISSION STREET
 SAN FRANCISCO CA 94112
 TEL: (415) 741.1292
 FAX: (415) 849.1252
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SHEET TITLE
VICINITY MAP

SUBJECT PARCEL

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| 02/28/2020 | | PLANING COMISION PACKET |

| | |
|--------------|--------------|
| DRAWN | A.HK. |
| CHECKED | R.K. |
| DATE | 02/22/2017 |
| REVISED DATE | 02/28/2020 |
| JOB NO. | 17-1741 |
| SHEET NO. | A-0.2 |

VICINITY MAP
 NTS

PROJECT NAME
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 SAN FRANCISCO, CA



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Photographs

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DRAWN A.HK.

CHECKED R.K.

DATE 02/22/2017

REVISED DATE 02/28/2020

JOB NO. 17-1741

SHEET NO. **A-0.3**



SUBJECT PROPERTY'S LEFT VIEW



SUBJECT PROPERTY



SUBJECT PROPERTY'S RIGHT VIEW



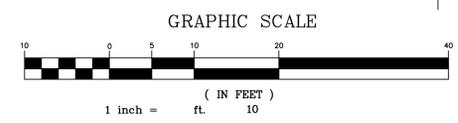
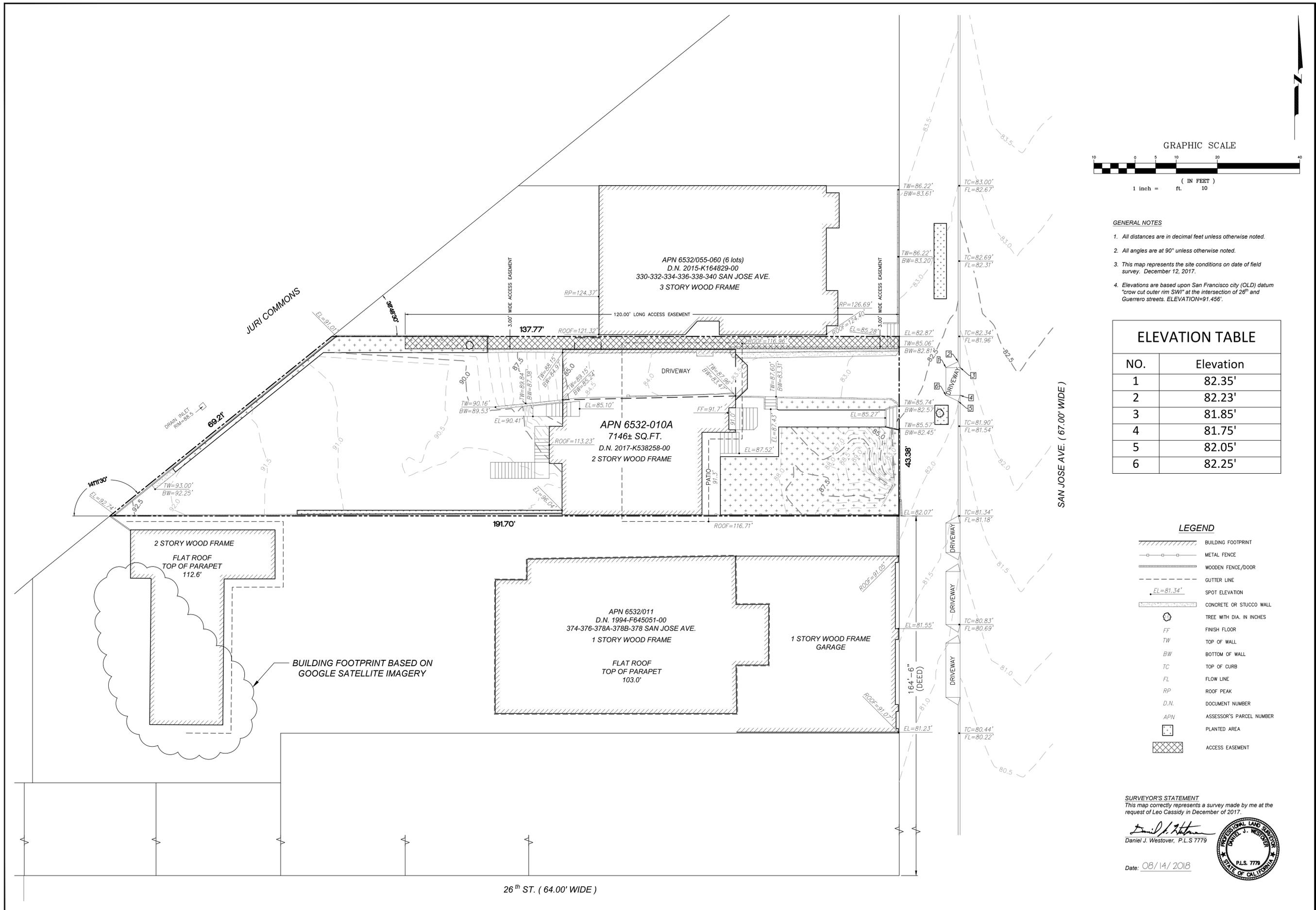
PROPERTY ACROSS FROM SUBJECT PROPERTY



PROPERTY ACROSS FROM SUBJECT PROPERTY



PROPERTY ACROSS FROM SUBJECT PROPERTY



GENERAL NOTES

- All distances are in decimal feet unless otherwise noted.
- All angles are at 90° unless otherwise noted.
- This map represents the site conditions on date of field survey, December 12, 2017.
- Elevations are based upon San Francisco city (OLD) datum "crow cut outer rim SWI" at the intersection of 26th and Guerrero streets. ELEVATION=91.456'.

ELEVATION TABLE

| NO. | Elevation |
|-----|-----------|
| 1 | 82.35' |
| 2 | 82.23' |
| 3 | 81.85' |
| 4 | 81.75' |
| 5 | 82.05' |
| 6 | 82.25' |

LEGEND

- BUILDING FOOTPRINT
- METAL FENCE
- WOODEN FENCE/DOOR
- GUTTER LINE
- SPOT ELEVATION
- CONCRETE OR STUCCO WALL
- TREE WITH DIA. IN INCHES
- FINISH FLOOR
- TOP OF WALL
- BOTTOM OF WALL
- TOP OF CURB
- FLOW LINE
- ROOF PEAK
- D.N.
- APN
- PLANTED AREA
- ACCESS EASEMENT

SURVEYOR'S STATEMENT
 This map correctly represents a survey made by me at the request of Leo Cassidy in December of 2017.

Daniel J. Westover
 Daniel J. Westover, P.L.S. 7779



Date: 08/14/2018

336 CLAREMONT BLVD., STE 1
 SAN FRANCISCO, CA 94127
 (415) 242-5400
 www.westoverurveying.com

WVS
 WESTOVER
 SURVEYING

| NO. | DATE | COMMENTS | JOB NO. |
|-----|------------|-------------------------------------|---------|
| 1 | 06/09/2018 | ADDED SPOT ELEVATIONS | 17068 |
| 2 | 08/14/2018 | ADDED SOUTHERLY NEIGHBORS FOOTPRINT | |

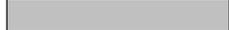
DRAWN BY: MA
CHECKED BY: BJJW
DATE: 01/05/2018
SCALE: 1"=10'

SITE SURVEY
 350 SAN JOSE AVENUE
 SAN JOSE, CA 95128
 CITY AND COUNTY OF SAN FRANCISCO, CALIFORNIA

SHEET
 1 OF 1

BLOCK / LOT: 6545 / 003

PROPERTY LINE: 

OUTLINE OF SUBJECT BUILDING: 

OUTLINE OF NEIGHBORS: 

PROJECT NAME

350 SAN JOSE AVE.
SAN FRANCISCO, CA



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SHEET TITLE

(E) Site Plan

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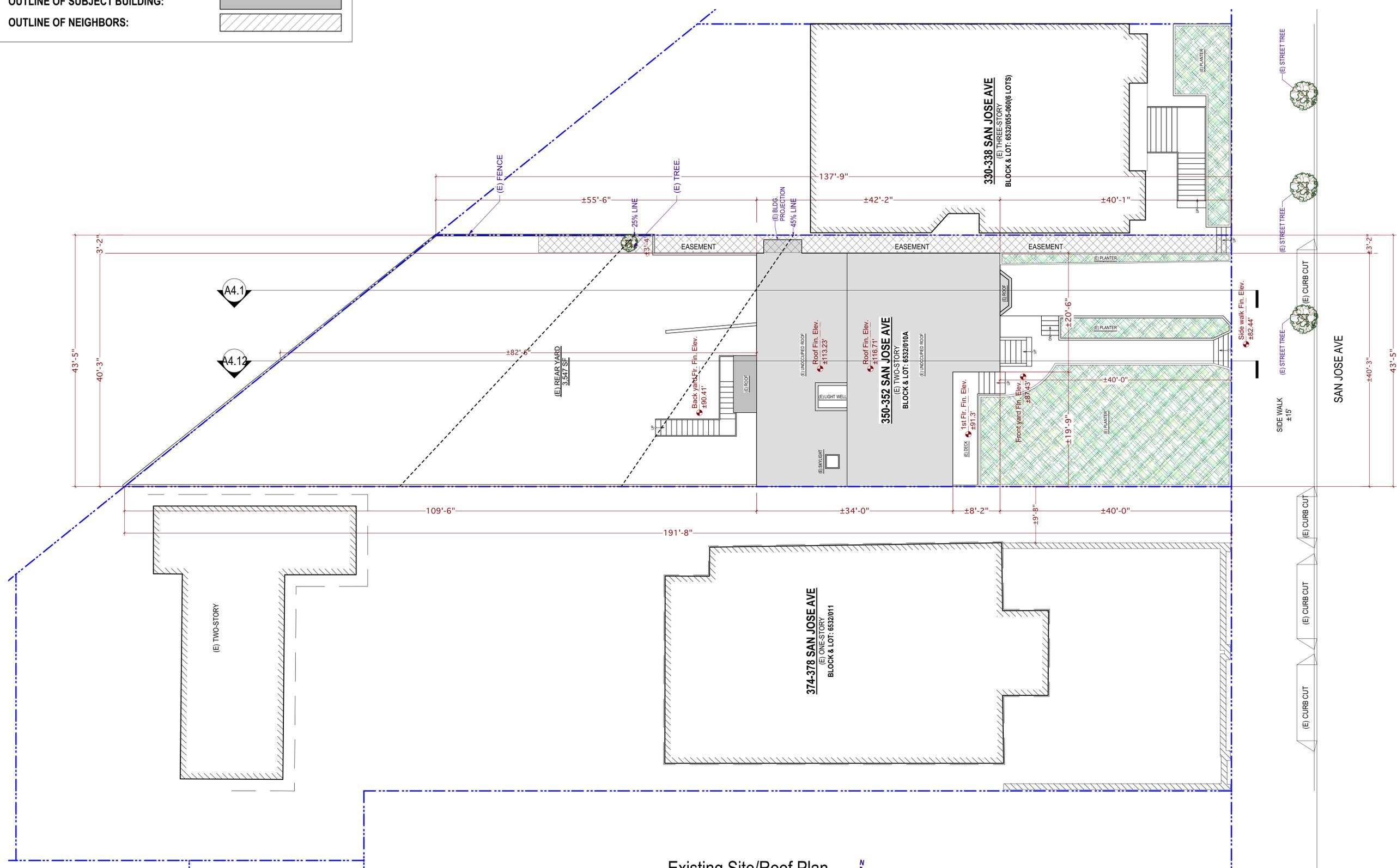
CHECKED R.K.

DATE 02/22/2017

REVISED DATE 02/28/2020

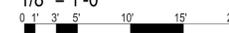
JOB NO. 17-1741

SHEET NO. **A-1.1**



Existing Site/Roof Plan

1/8" = 1'-0"



BLOCK / LOT: 6545 / 003

PROPERTY LINE:

OUTLINE OF SUBJECT BUILDING:

OUTLINE OF NEIGHBORS:



PROJECT NAME

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SAN FRANCISCO, CA



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(N) Site Plan

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DRAWN A.H.K.

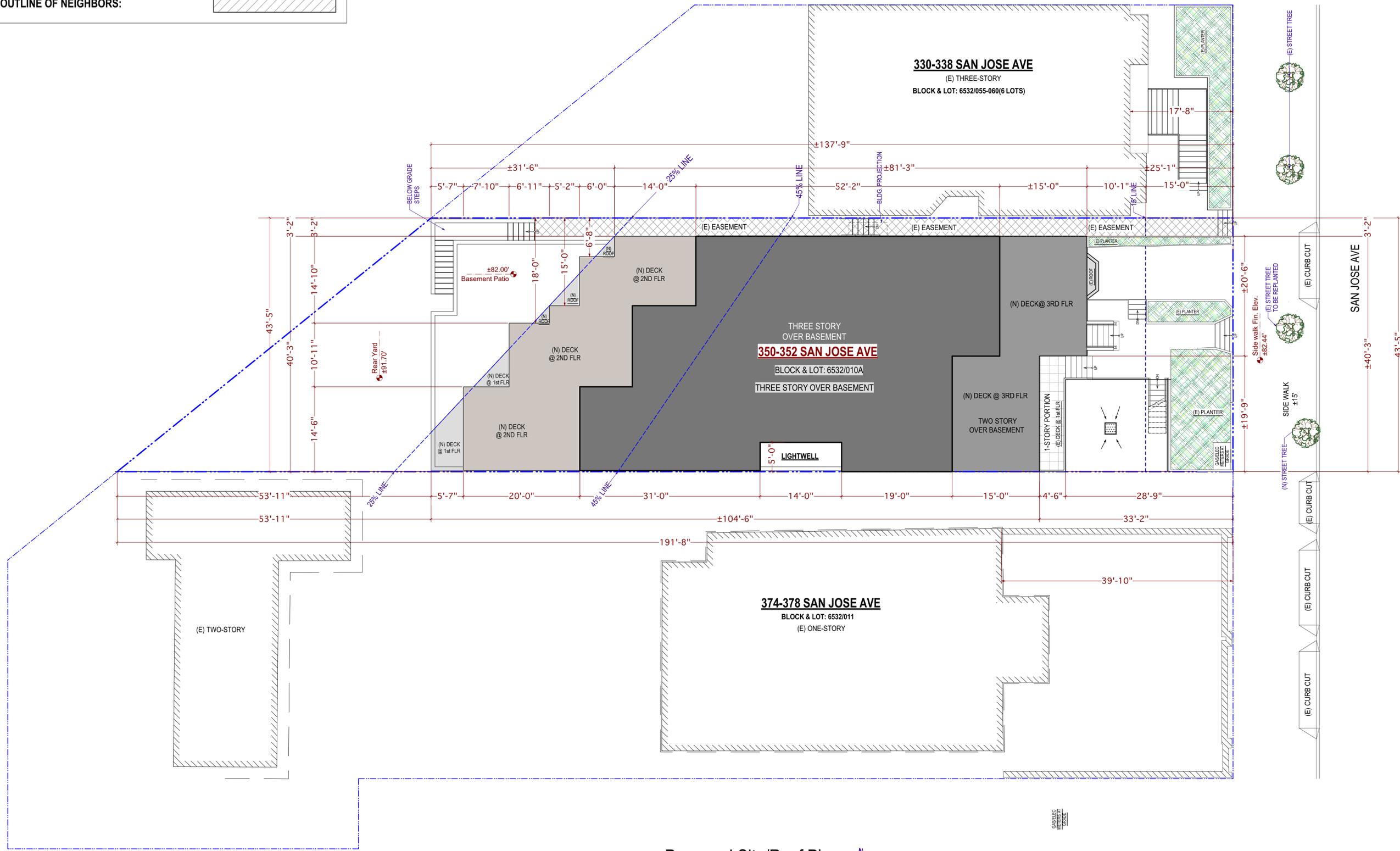
CHECKED R.K.

DATE 02/22/2017

REVISED DATE 02/28/2020

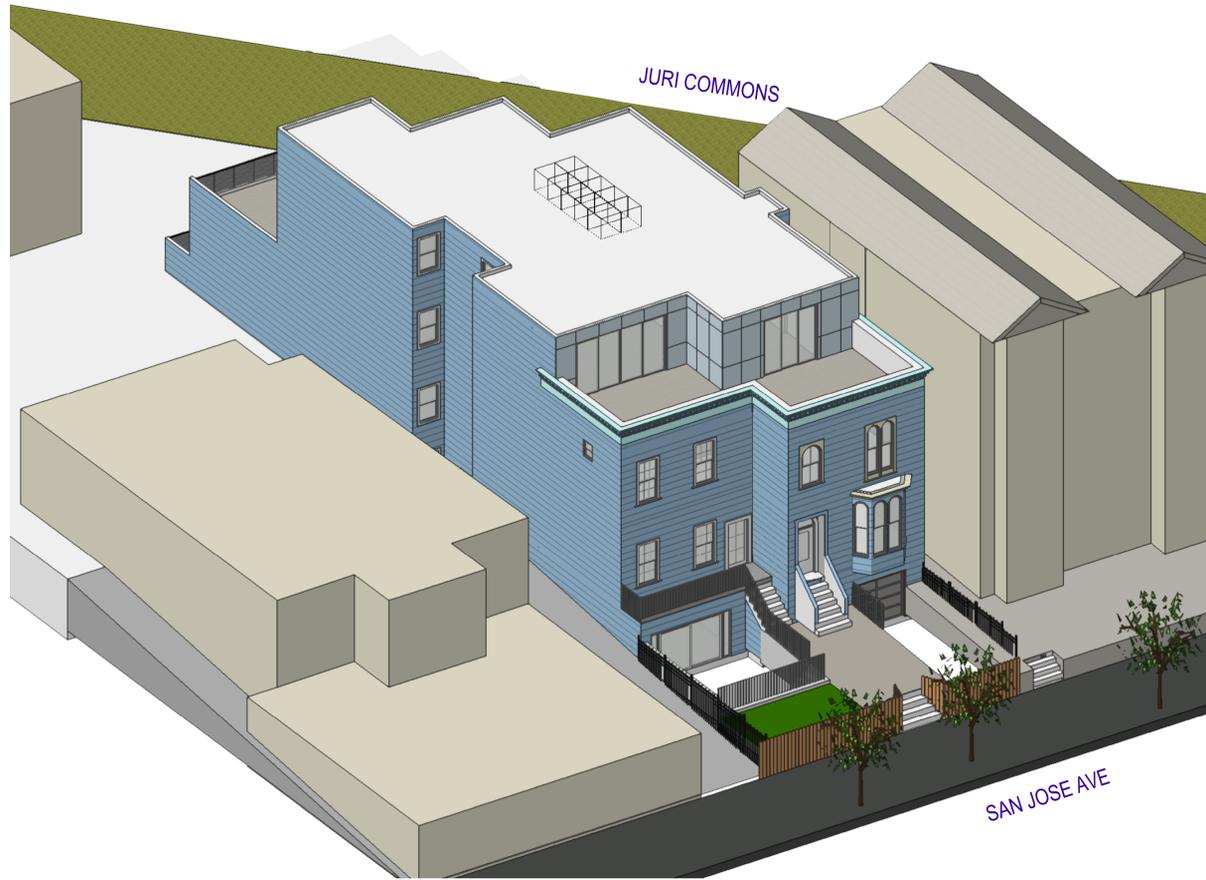
JOB NO. 17-1741

SHEET NO. **A-1.2**

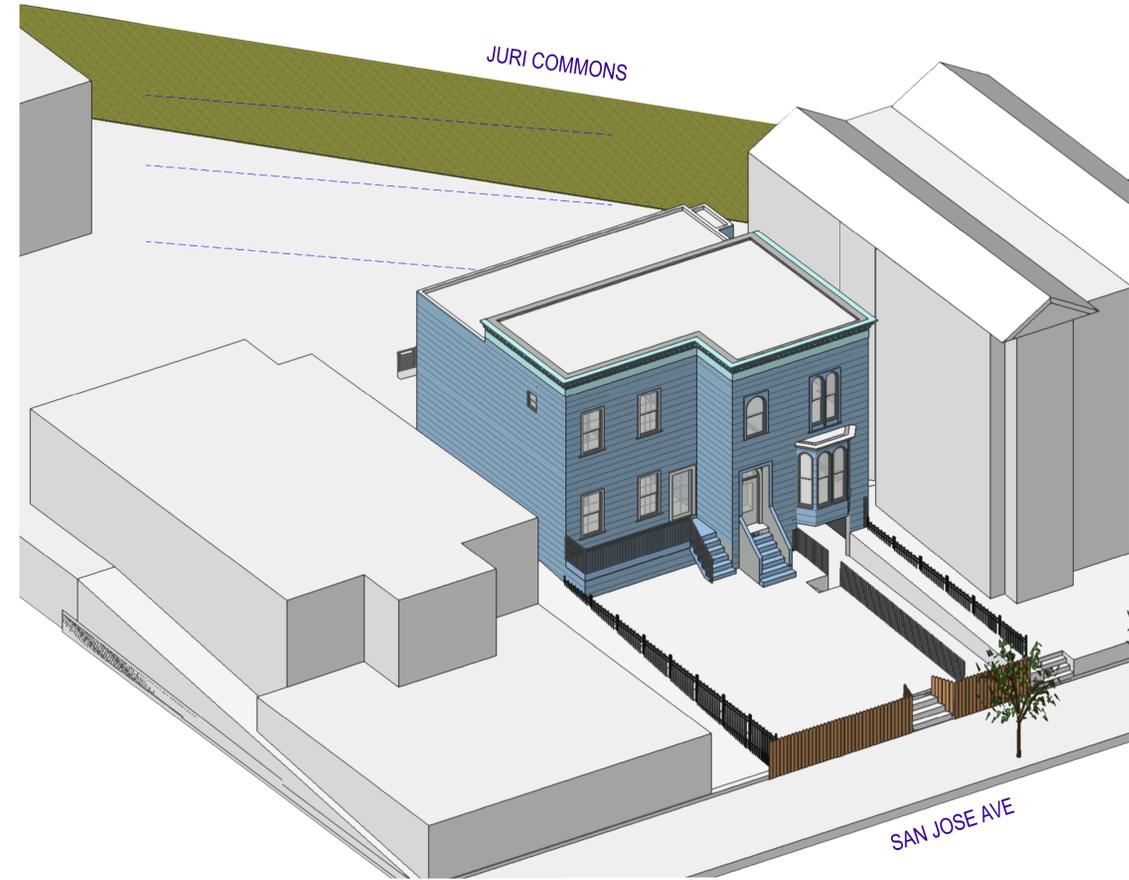


Proposed Site/Roof Plan
 1/8" = 1'-0"
 0' 1' 3' 5' 10' 15' 20'





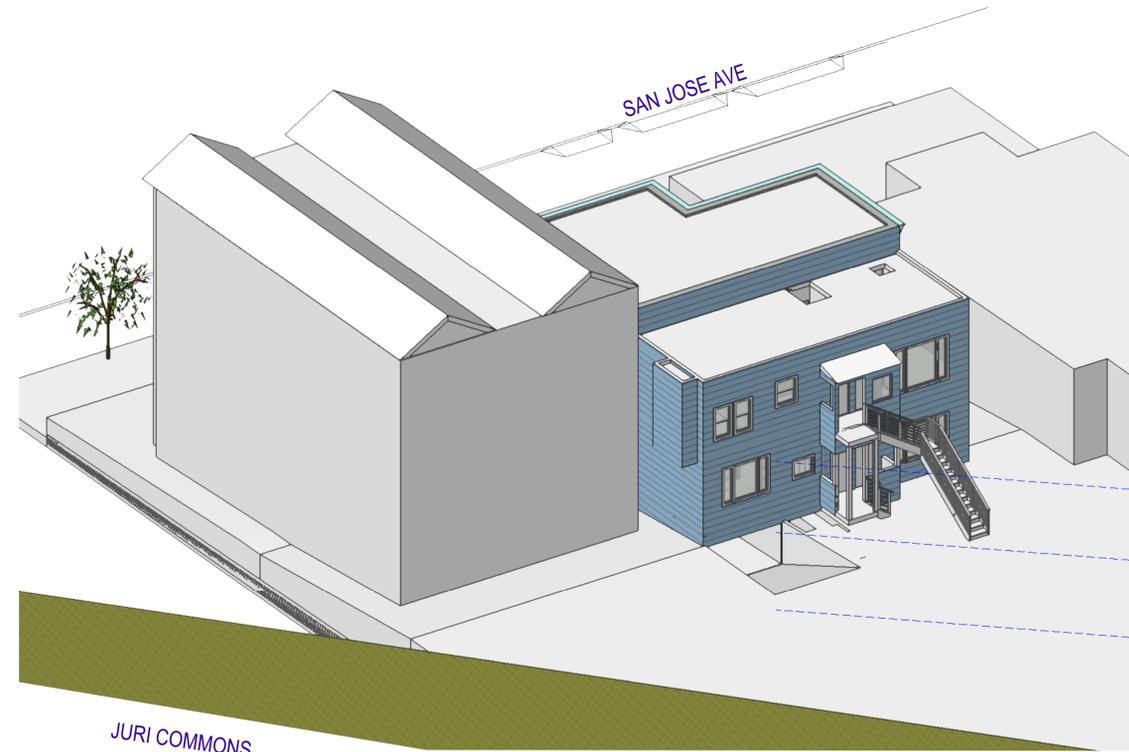
Proposed Isometric- Front (northwest) view
NTS



Existing Isometric- Front (northwest) view
NTS



Proposed Isometric- Rear (southeast) view
NTS



Existing Isometric- Rear (southeast) view
NTS

PROJECT NAME
350 SAN JOSE AVE.
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SHEET TITLE

Isometric View
(1)

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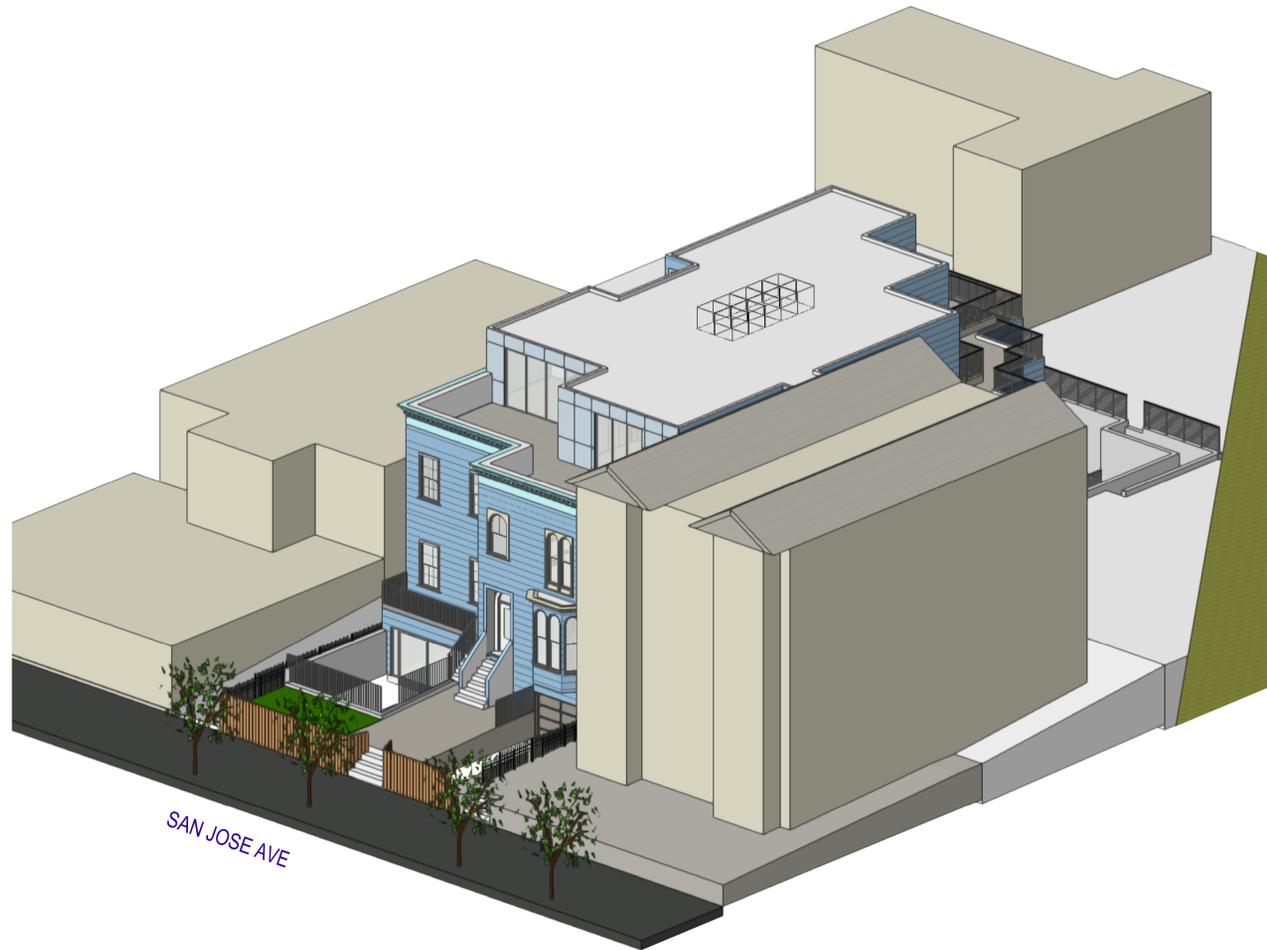
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DATE 02/22/2017

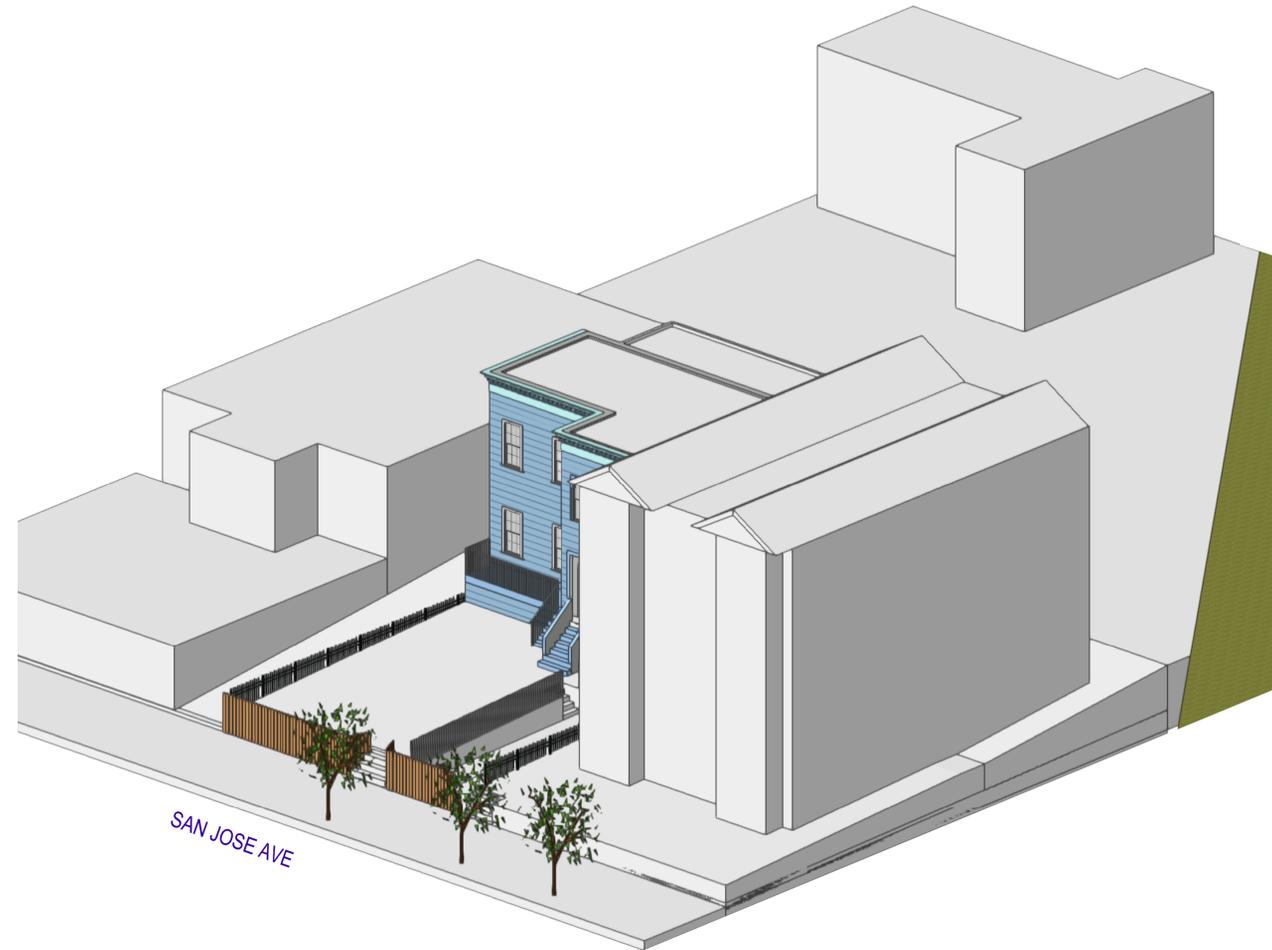
REVISED DATE 02/28/2020

JOB NO. 17-1741

SHEET NO. **A-1.3**



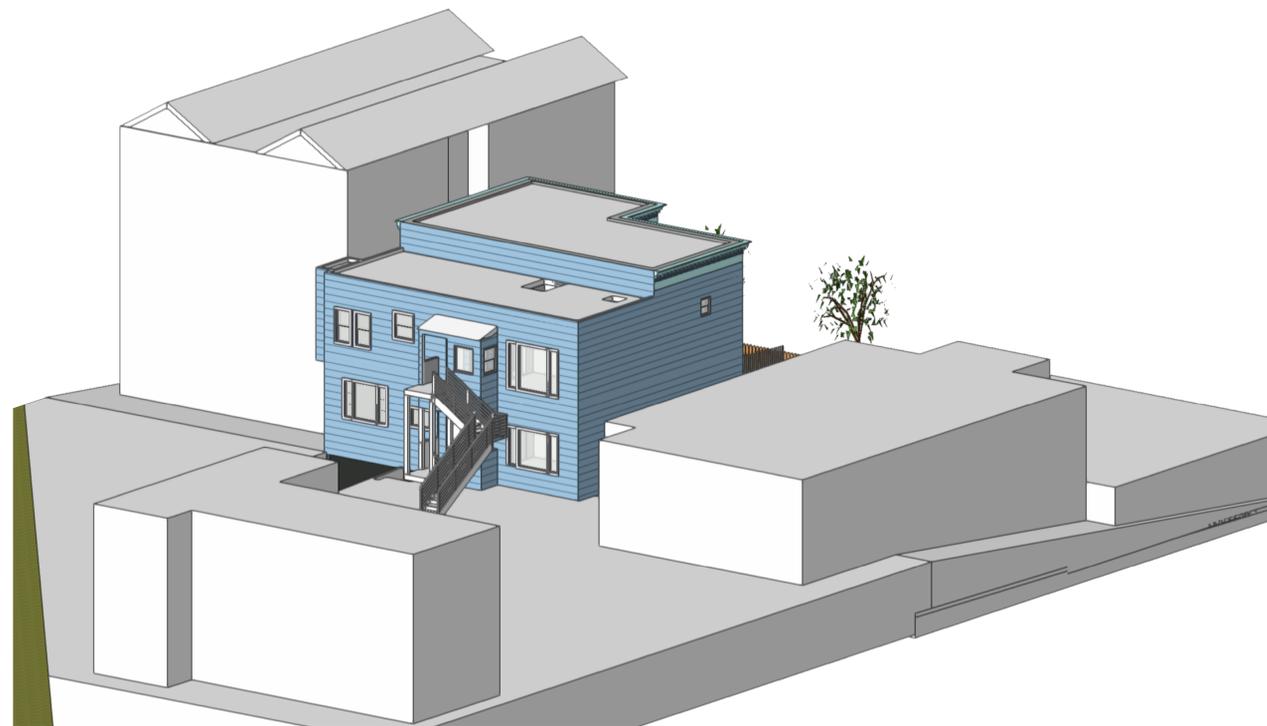
Proposed Isometric- Front (Southwest) view
NTS



Existing Isometric- Front (Southwest) view
NTS



Proposed Isometric- Rear (Northeast) view
NTS



Existing Isometric- Rear (Northeast) view
NTS

PROJECT NAME
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SAN FRANCISCO, CA



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SHEET TITLE

Isometric View
(2)

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| 02/28/2020 | | PLANING COMISION PACKET |

DRAWN A.HK.

CHECKED R.K.

DATE 02/22/2017

REVISED DATE 02/28/2020

JOB NO. 17-1741

SHEET NO. **A-1.4**



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 4742 MISSION STREET
 SAN FRANCISCO CA 94112
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SHEET TITLE

Basement Plan

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| NO. | DATE | DESCRIPTION |
|------------|------|-------------------------|
| 02/28/2020 | | PLANING COMISION PACKET |

DRAWN A.HK.

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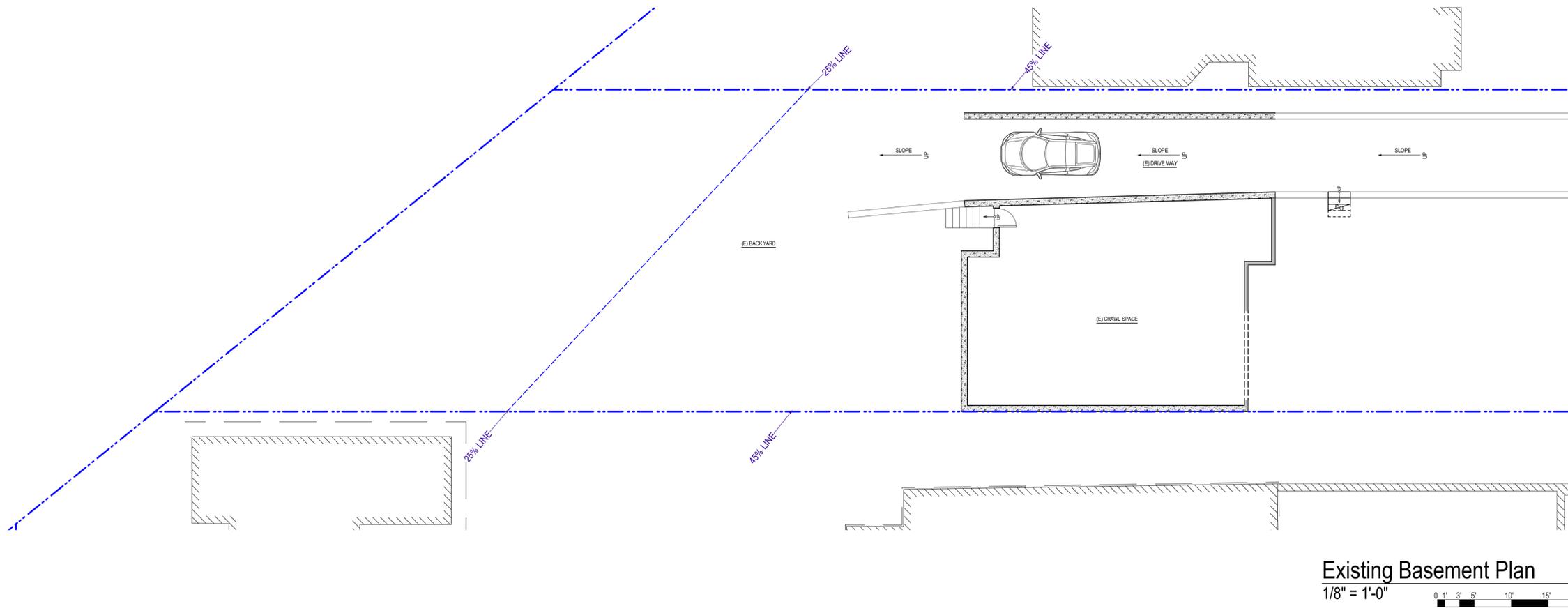
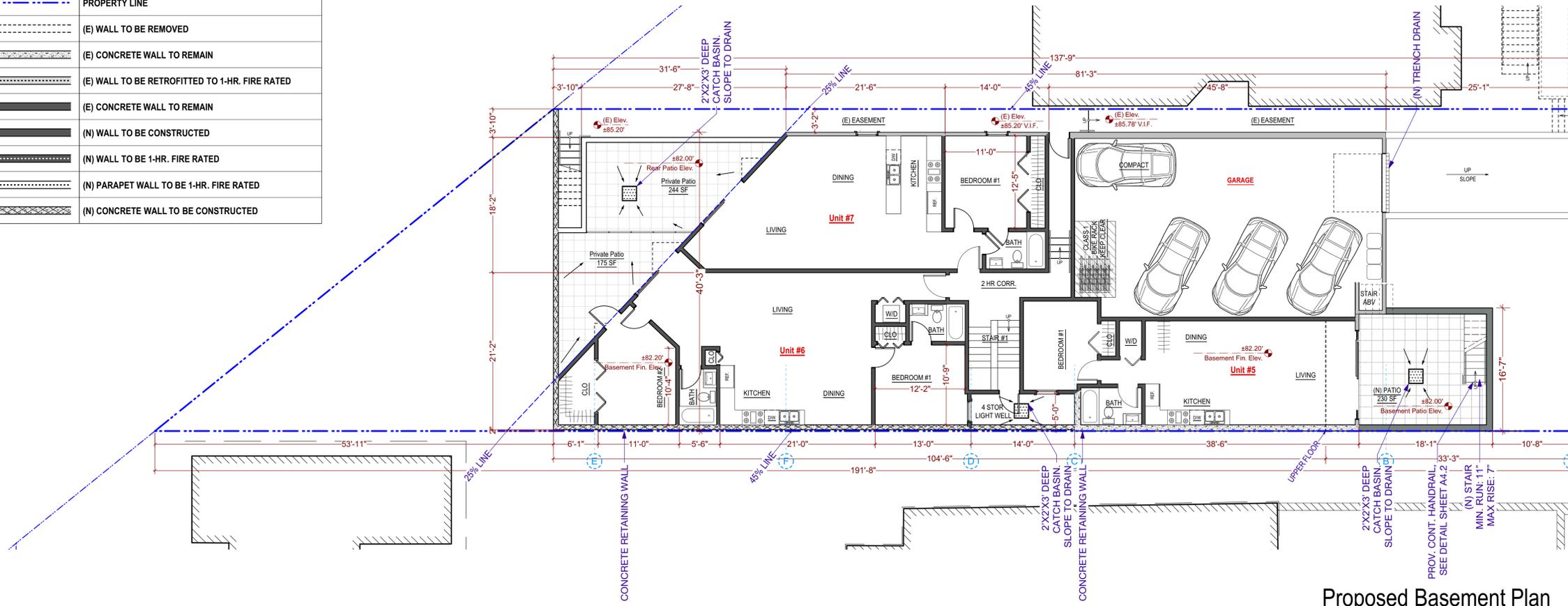
DATE 02/22/2017

REVISED DATE 02/28/2020

JOB NO. 17-1741

SHEET NO. **A-2.1**

| | |
|--|--|
| | PROPERTY LINE |
| | (E) WALL TO BE REMOVED |
| | (E) CONCRETE WALL TO REMAIN |
| | (E) WALL TO BE RETROFITTED TO 1-HR. FIRE RATED |
| | (E) CONCRETE WALL TO REMAIN |
| | (N) WALL TO BE CONSTRUCTED |
| | (N) WALL TO BE 1-HR. FIRE RATED |
| | (N) PARAPET WALL TO BE 1-HR. FIRE RATED |
| | (N) CONCRETE WALL TO BE CONSTRUCTED |





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SHEET TITLE

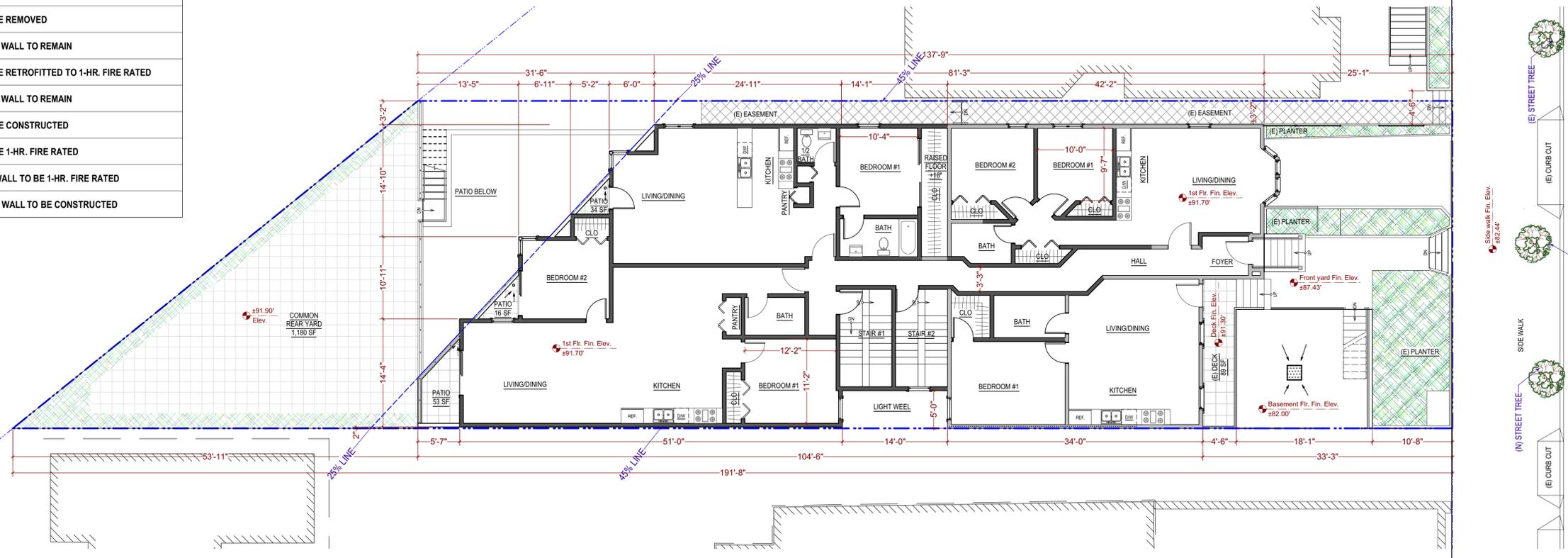
(E)&(N) FIRST FLOOR PLANS

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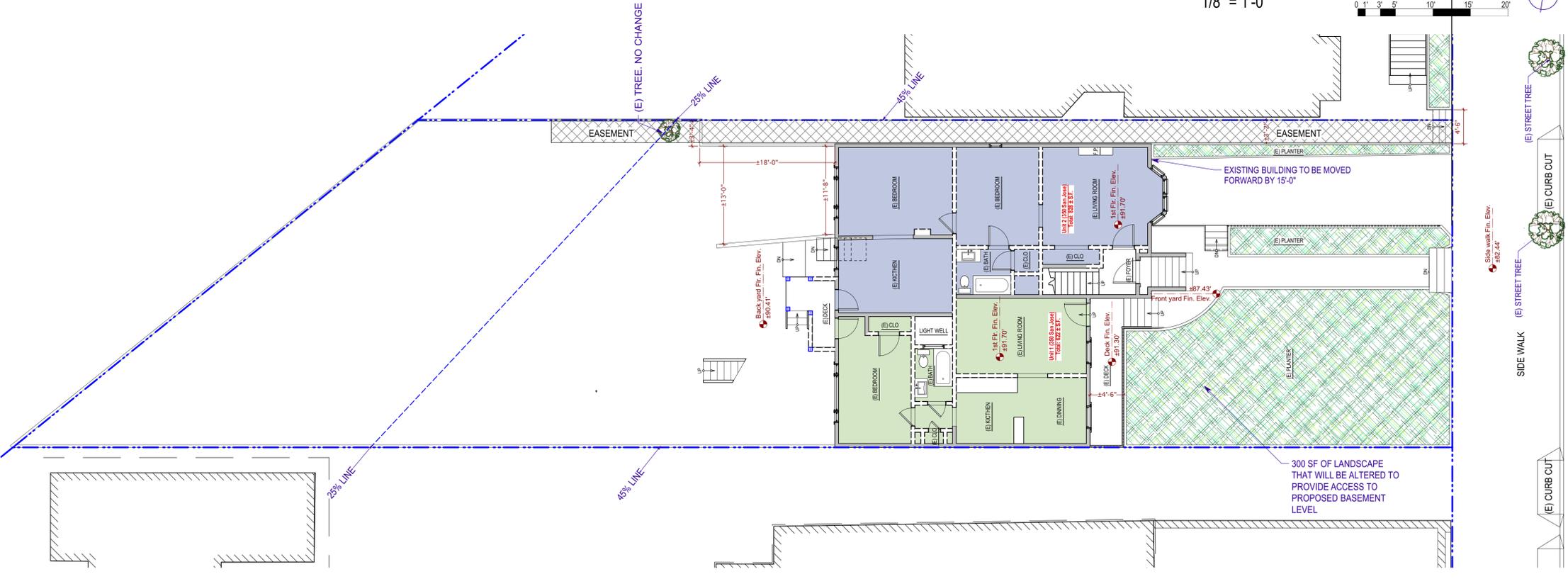
| ISSUES / REVISIONS | | |
|--------------------|------|-------------------------|
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| JOB NO. | 17-1741 |
| SHEET NO. | A-2.2 |

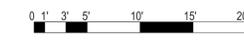
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|--|--|
| | PROPERTY LINE |
| | (E) WALL TO BE REMOVED |
| | (E) CONCRETE WALL TO REMAIN |
| | (E) WALL TO BE RETROFITTED TO 1-HR. FIRE RATED |
| | (E) CONCRETE WALL TO REMAIN |
| | (N) WALL TO BE CONSTRUCTED |
| | (N) WALL TO BE 1-HR. FIRE RATED |
| | (N) PARAPET WALL TO BE 1-HR. FIRE RATED |
| | (N) CONCRETE WALL TO BE CONSTRUCTED |



Proposed First Floor Plan
 1/8" = 1'-0"



Existing First Floor Plan
 1/8" = 1'-0"



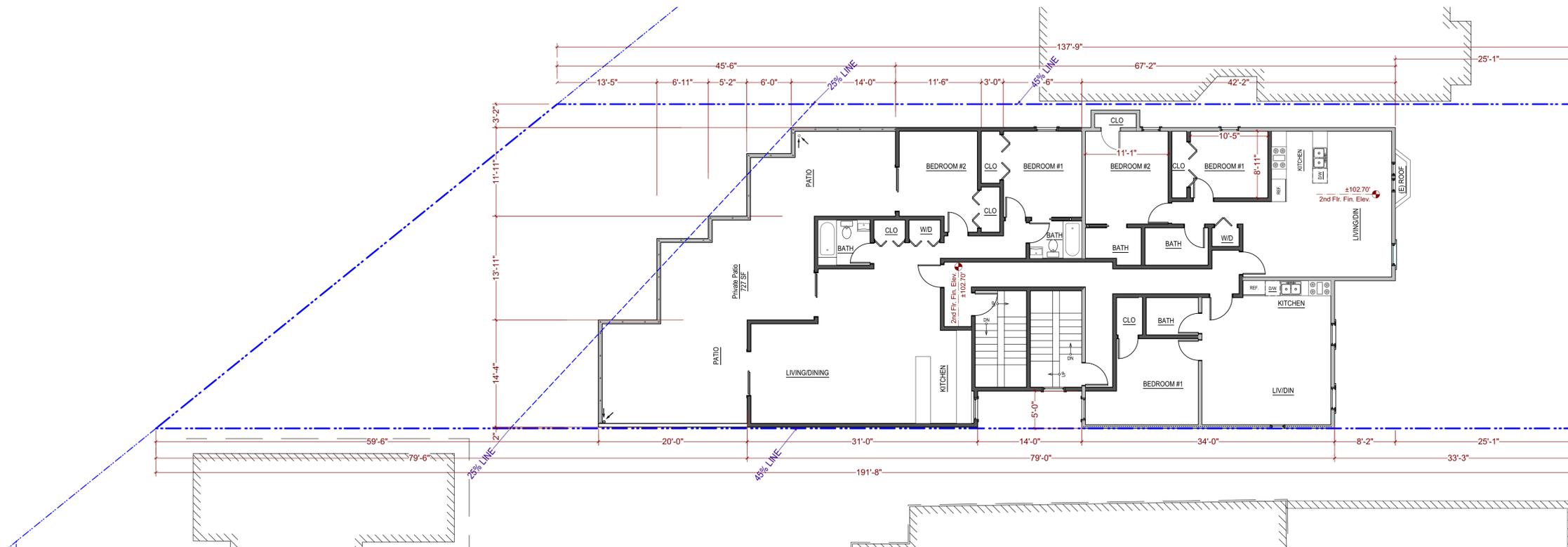
SAN JOSE AVE



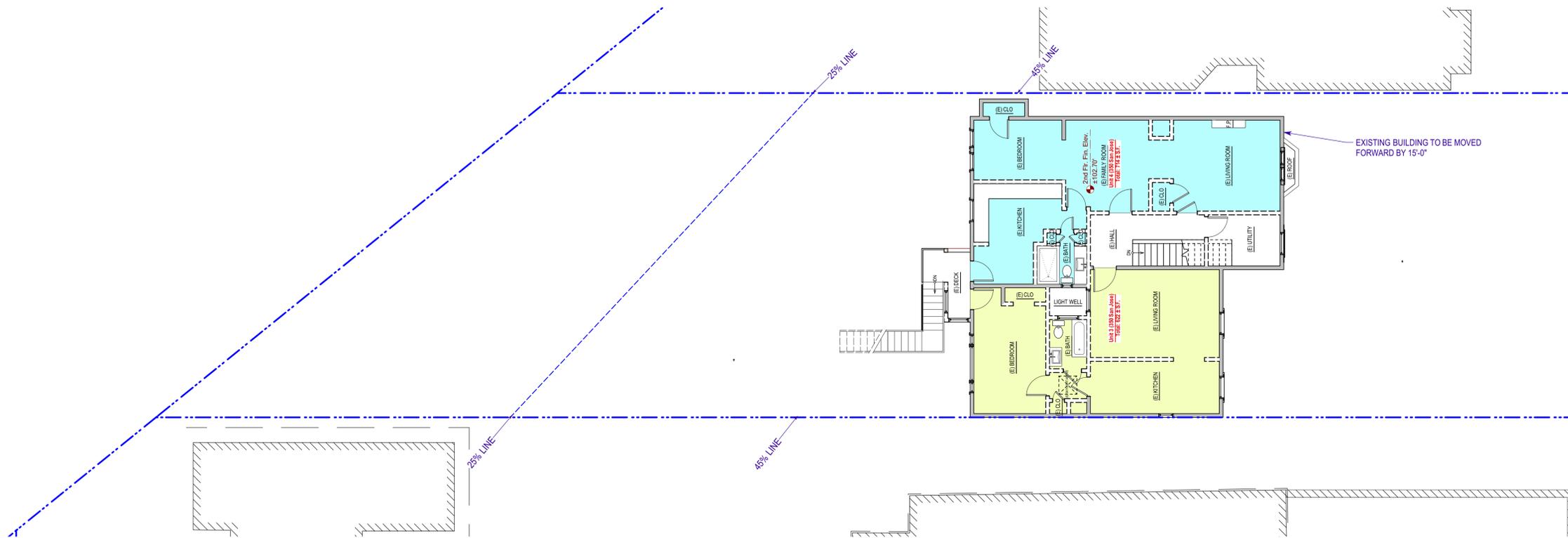
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**(E)&(N)
 SECONG
 FLOOR PLANS**



Proposed Second Floor Plan
 1/8" = 1'-0"



Existing Second Floor Plan
 1/8" = 1'-0"



EXISTING BUILDING TO BE MOVED FORWARD BY 15'-0"

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JOB NO. 17-1741

SHEET NO. **A-2.3**

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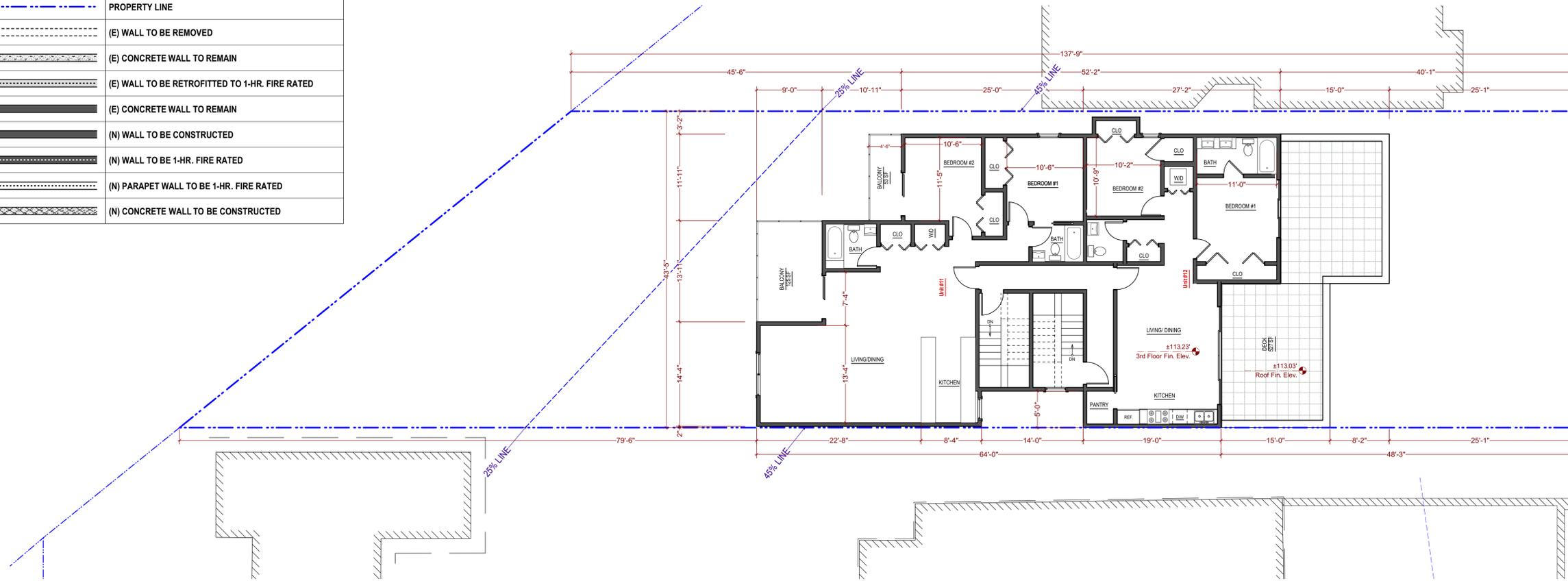
(N) THIRD FLOOR PLAN

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| SHEET NO. | A-2.4 |

| | |
|--|--|
| | PROPERTY LINE |
| | (E) WALL TO BE REMOVED |
| | (E) CONCRETE WALL TO REMAIN |
| | (E) WALL TO BE RETROFITTED TO 1-HR. FIRE RATED |
| | (E) CONCRETE WALL TO REMAIN |
| | (N) WALL TO BE CONSTRUCTED |
| | (N) WALL TO BE 1-HR. FIRE RATED |
| | (N) PARAPET WALL TO BE 1-HR. FIRE RATED |
| | (N) CONCRETE WALL TO BE CONSTRUCTED |



Proposed Third Floor Plan
 1/8" = 1'-0"





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ROOF PLANS

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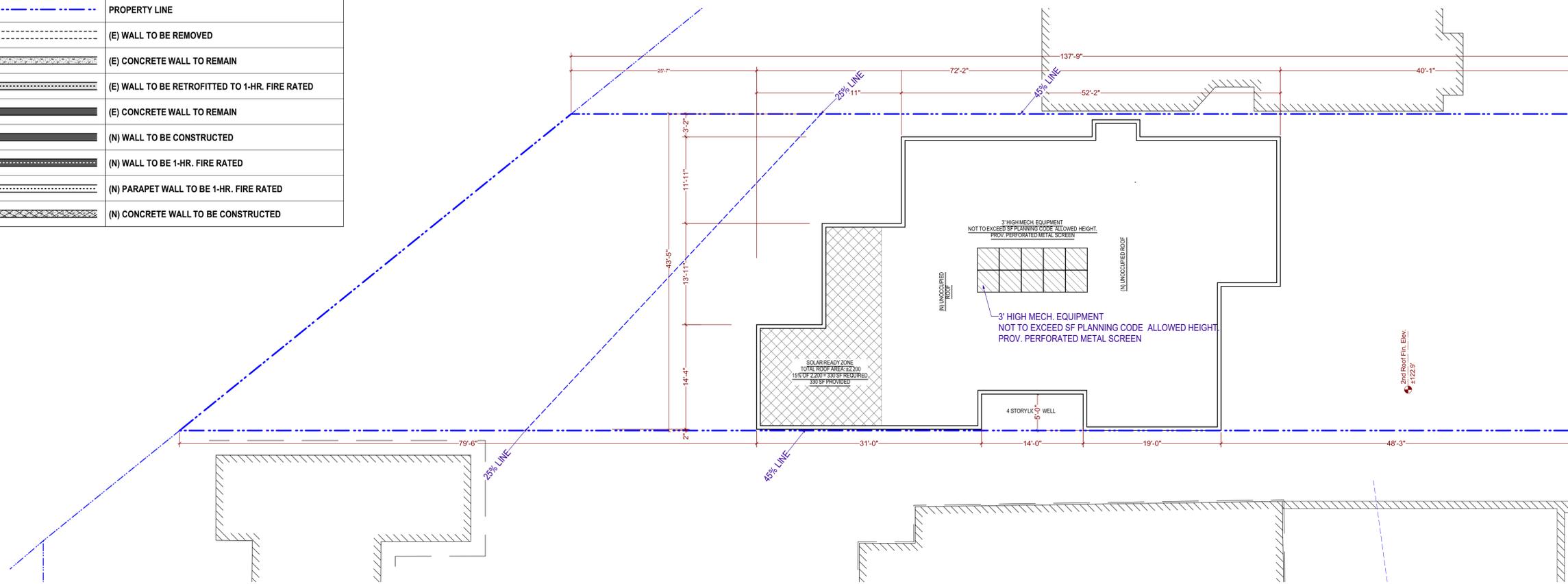
DATE 02/22/2017

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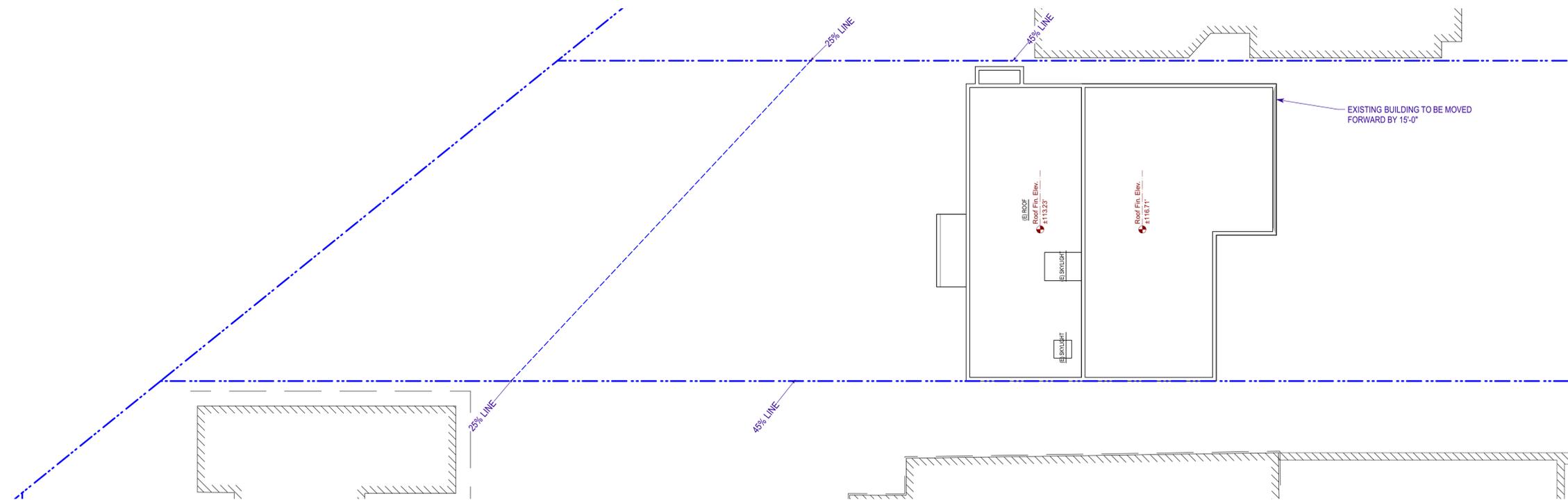
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SHEET NO. **A-2.5**

| | |
|--|--|
| | PROPERTY LINE |
| | (E) WALL TO BE REMOVED |
| | (E) CONCRETE WALL TO REMAIN |
| | (E) WALL TO BE RETROFITTED TO 1-HR. FIRE RATED |
| | (E) CONCRETE WALL TO REMAIN |
| | (N) WALL TO BE CONSTRUCTED |
| | (N) WALL TO BE 1-HR. FIRE RATED |
| | (N) PARAPET WALL TO BE 1-HR. FIRE RATED |
| | (N) CONCRETE WALL TO BE CONSTRUCTED |



Proposed Roof Plan
 1/8" = 1'-0"



Existing Roof Plan
 1/8" = 1'-0"

NOTE:
ALL GLAZING SHALL BE BIRD-SAFE & SHALL COMPLY W/ PLANNING CODE SEC. 139.

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SHEET TITLE
Front Elevations

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| SHEET NO. | A-3.1 |



NOTE:
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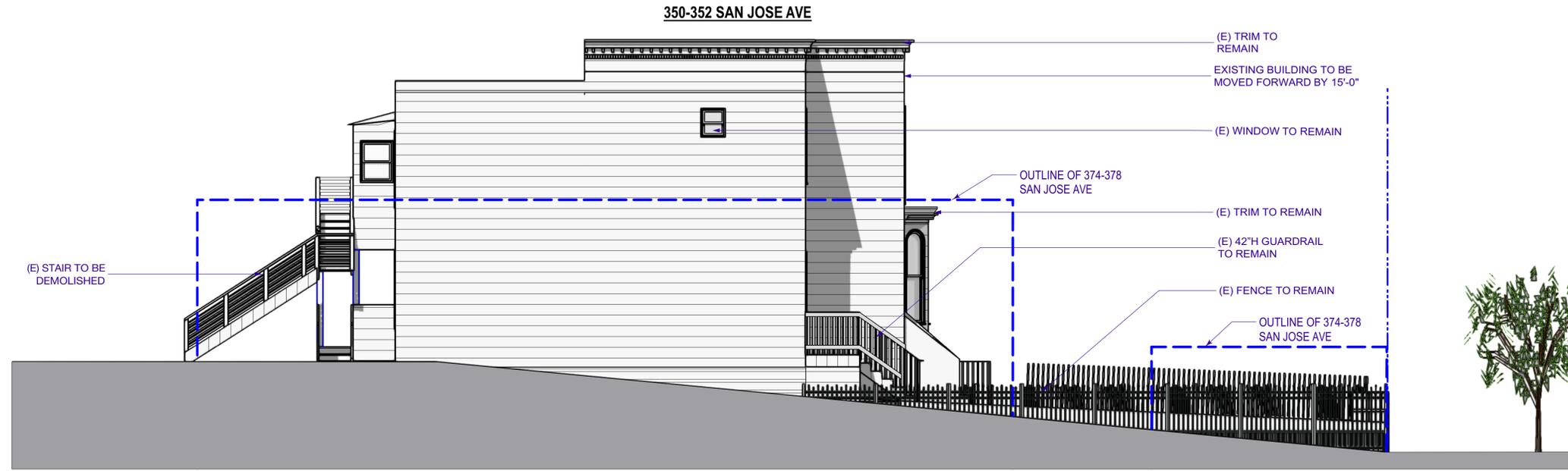
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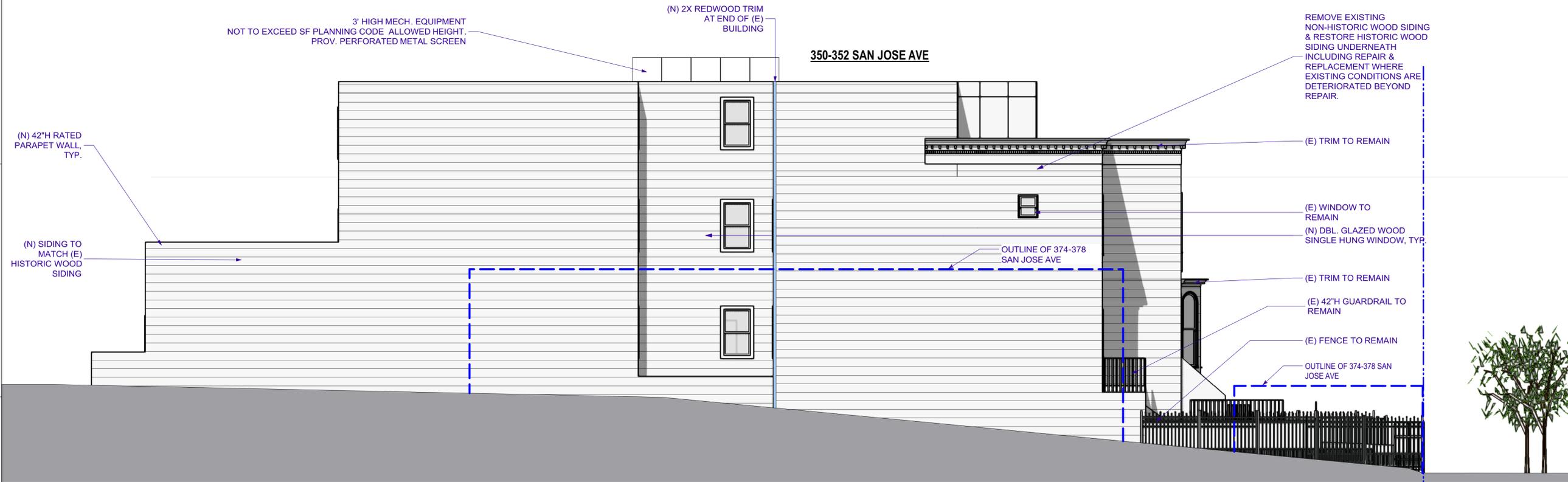
SHEET TITLE

Left Elevations



Existing Left Elevation (South)

3/16" = 1'-0"
0 1' 3' 5' 10' 15' 20'



Proposed Left Elevation (South)

3/16" = 1'-0"
0 1' 3' 5' 10' 15' 20'

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JOB NO. 17-1741

SHEET NO. **A-3.2**



NOTE:
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SHALL COMPLY W/ PLANNING CODE
SEC. 139.

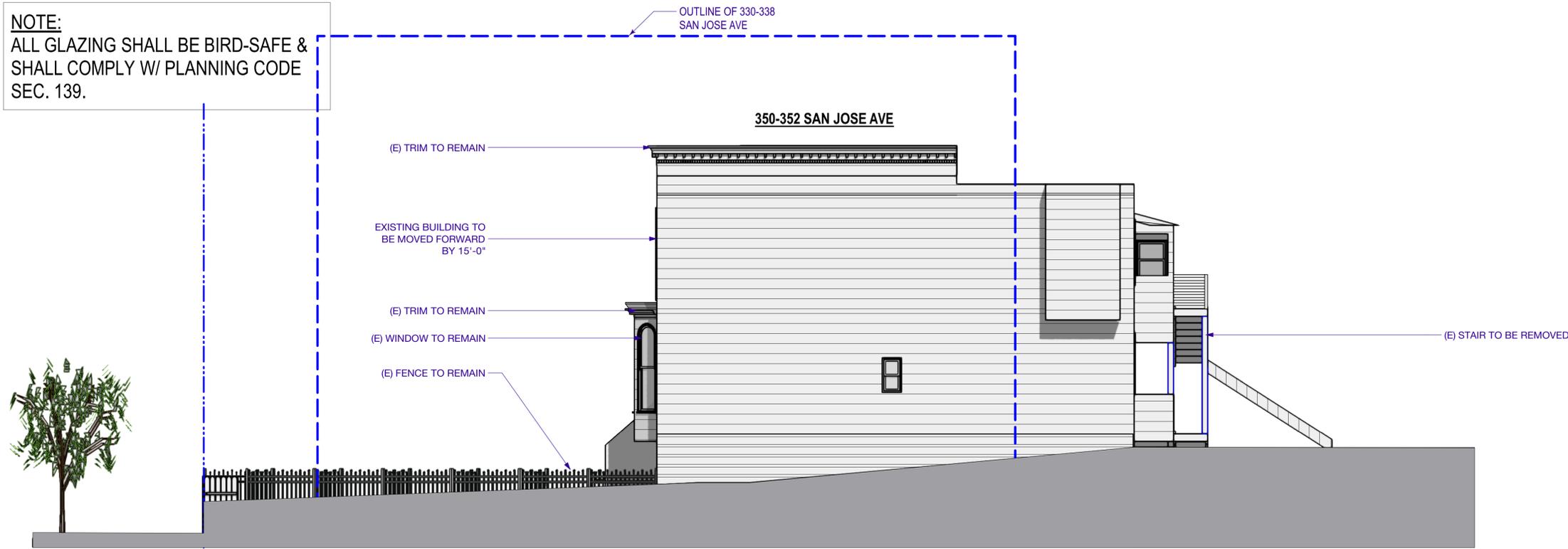
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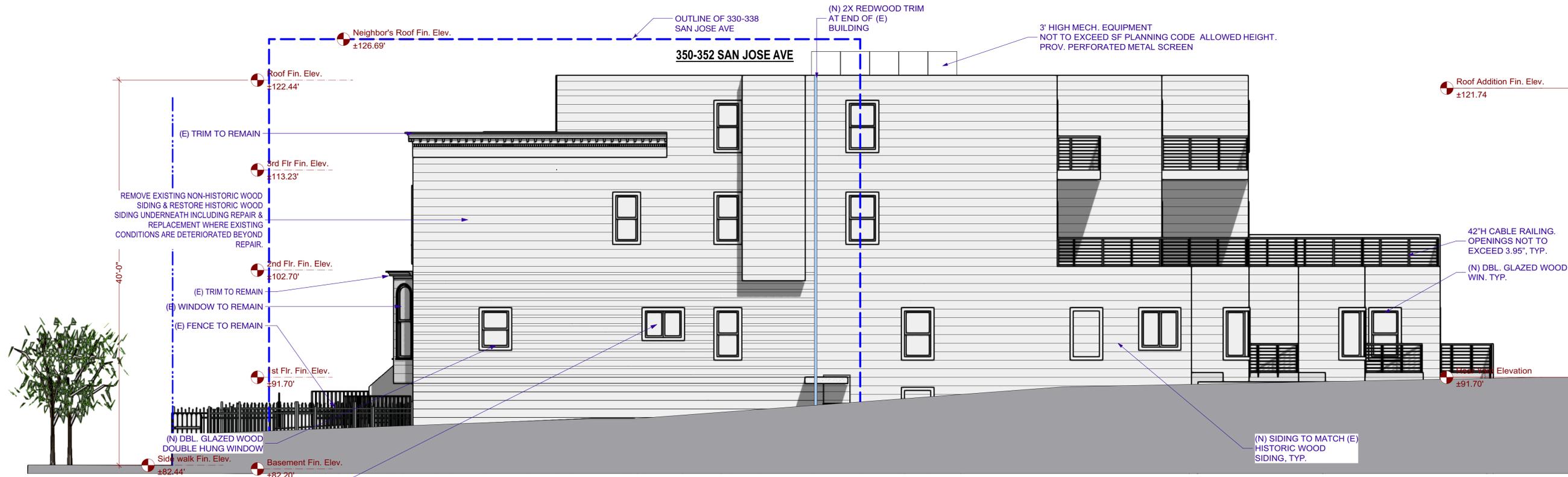
SHEET TITLE

Right Elevations



Existing Right Elevation (North)

3/16" = 1'-0"
0 1' 3' 5' 10' 15' 20'



Proposed Right Elevation (North)

3/16" = 1'-0"
0 1' 3' 5' 10' 15' 20'

--- PROPERTY LINE

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SHEET NO. **A-3.3**

NOTE:
ALL GLAZING SHALL BE BIRD-SAFE &
SHALL COMPLY W/ PLANNING CODE
SEC. 139.

330-338 SAN JOSE AVE

350-352 SAN JOSE AVE

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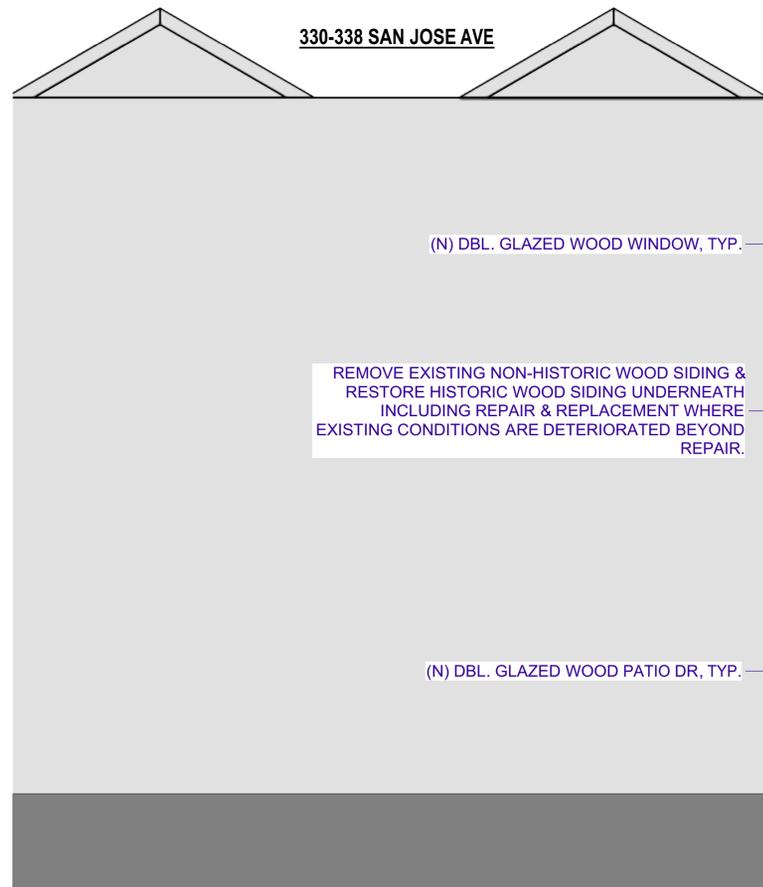
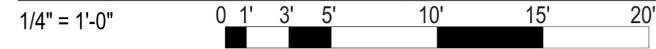
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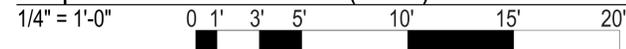
Rear Elevations



Existing Rear Elevation (West)



Proposed Rear Elevation (West)



3' HIGH MECH. EQUIPMENT
NOT TO EXCEED SF PLANNING CODE ALLOWED HEIGHT.
PROV. PERFORATED METAL SCREEN

(N) SIDING TO MATCH (E) HISTORIC WOOD
SIDING

Roof Fin. Elev.
±121.74'

42\"H CABLE RAILING. OPENINGS NOT TO
EXCEED 3.95\", TYP.

3rd Flr Fin. Elev.
±113.23'

Neighbor's Roof
±112.60'

2nd Flr. Fin. Elev.
±102.7'

1st Flr. Fin. Elev.
±91.70'

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SHEET NO. **A-3.4**





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Sections

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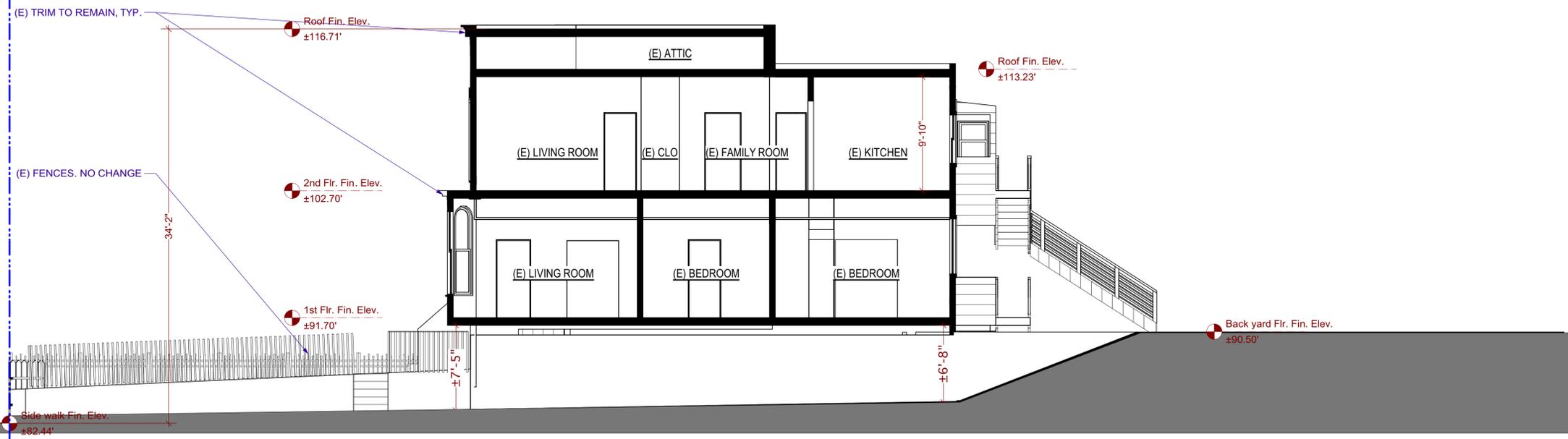
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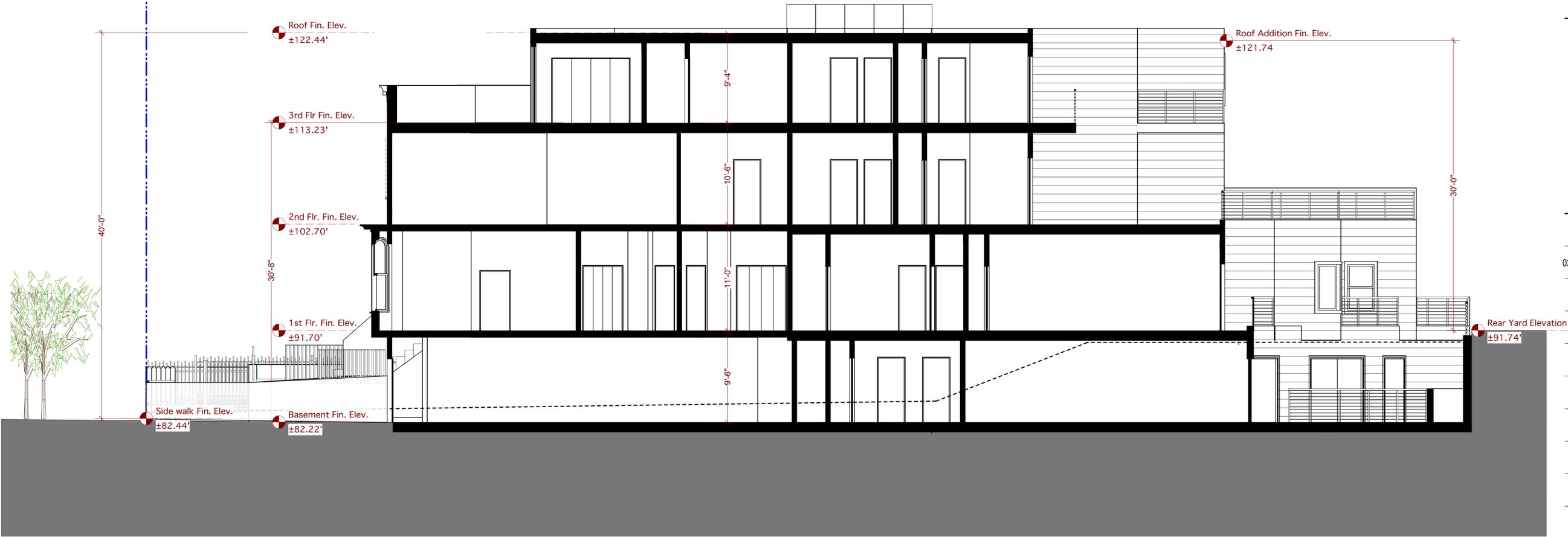
JOB NO. 17-1741

SHEET NO. **A-4.1**



| | |
|--|---|
| | PROPERTY LINE |
| | (N) PARAPET WALL TO BE 1-HR. FIRE RATED |

Existing Section A
 3/16" = 1'-0"
 0' 1' 3' 5' 10' 15' 20'



Proposed Section A
 3/16" = 1'-0"
 0' 1' 3' 5' 10' 15' 20'



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Sightline Diagram

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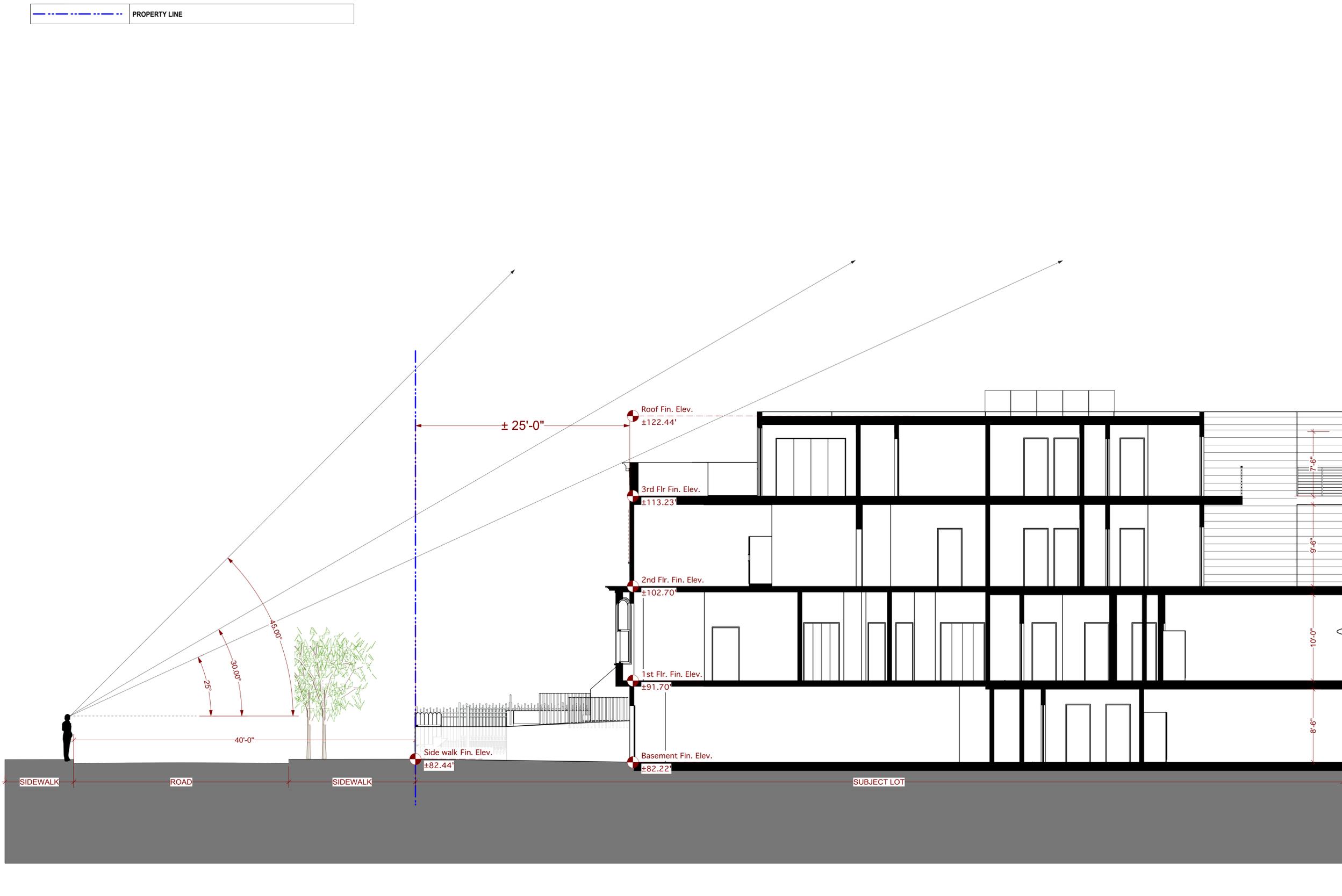
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JOB NO. 17-1741

SHEET NO. **A-4.2**



Sightline Study





Existing Front Elevation
1/8" = 1'-0"



Existing Rear Elevation
1/8" = 1'-0"



Existing Right Elevation
1/8" = 1'-0"



Existing Left Elevation
1/8" = 1'-0"

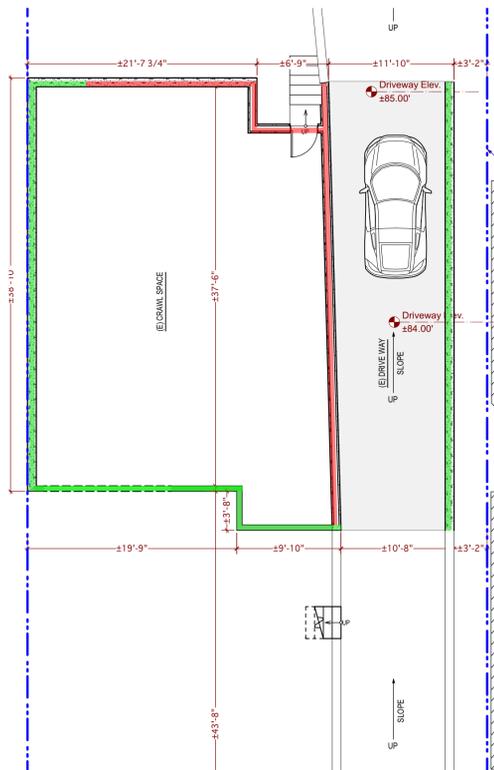
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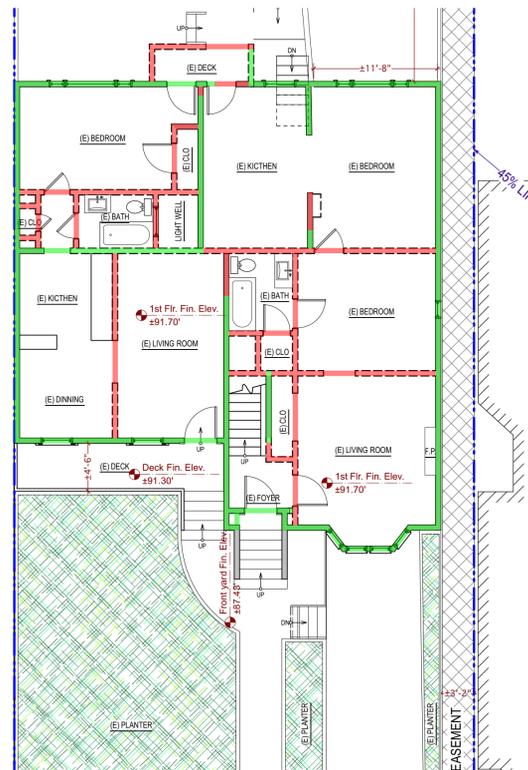
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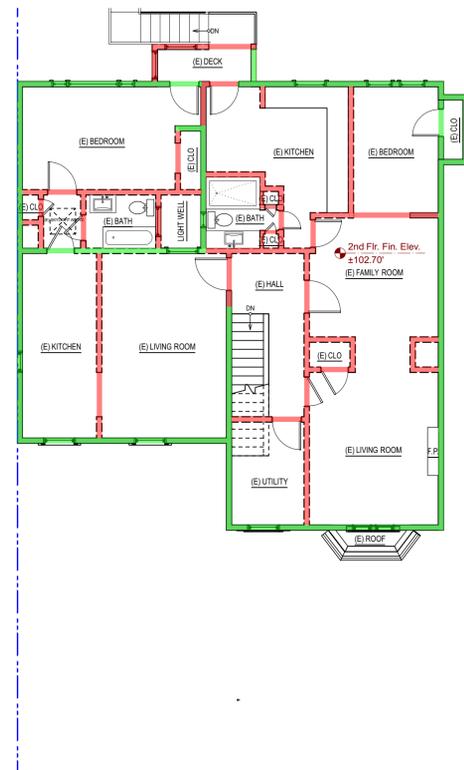
Demo Calc.
(Per SFPC
Section 1005)



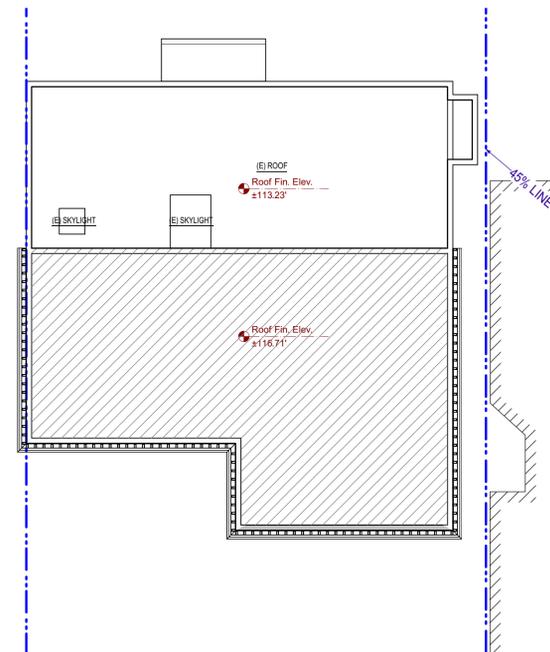
Existing Basement Plan
1/8" = 1'-0"



Existing First Floor Plan
1/8" = 1'-0"



Existing Second Floor Plan
1/8" = 1'-0"



Existing Roof Plan
1/8" = 1'-0"

| | |
|--|----------------------------------|
| | WALL TO BE REMOVED |
| | WALL TO BE RETAINED |
| | HORIZONTAL ELEMENT TO BE REMOVED |

| DEMOLITION JUSTIFICATION PER SFPC 1005 (f)(1) | | | |
|---|-----------------|-----------|--------------|
| EXTERIOR WALL | (E) AREA Sq.Ft. | REMOVED | % REMOVED |
| BASEMENT FLOOR | 177 | 21 | 11.86% |
| FIRST FLOOR | 446 | 0 | 0% |
| SECOND FLOOR | 578 | 0 | 0% |
| TOTAL | 1201 | 21 | 1.75% |

| DEMOLITION JUSTIFICATION PER SFPC 1005 (f)(2) | | | |
|---|---------------|-------------|---------------|
| EXT. WALLS (FUNCTION AS ALL EXTERNAL WALLS) | (E) LIN. FT | REMOVED | % REMOVED |
| BASEMENT FLOOR | 150.16 | 30.5 | 20.31% |
| FIRST FLOOR | 173.75 | 12.3 | 7.08% |
| SECOND FLOOR | 176.50 | 12.3 | 6.97% |
| TOTAL | 500.41 | 55.1 | 11.01% |

| DEMOLITION JUSTIFICATION PER SFPC 1005 (f)(3) | | | |
|---|---------------|--------------|---------------|
| EXT. WALLS (FUNCTION AS EXT. OR INT. WALLS) | (E) LIN. FT | REMOVED | % REMOVED |
| BASEMENT FLOOR | 191.74 | 72.08 | 37.59% |
| FIRST FLOOR | 173.75 | 12.3 | 7.08% |
| SECOND FLOOR | 176.50 | 12.3 | 6.97% |
| TOTAL | 541.99 | 96.68 | 17.84% |

| DEMOLITION JUSTIFICATION PER SFPC 1005 (f)(4) | | | |
|---|---------------|---------------|---------------|
| INT. WALLS | (E) LIN. FT | REMOVED | % REMOVED |
| BASEMENT FLOOR | 0' | 0' | 0% |
| FIRST FLOOR | 216.6' | 151.6 | 69.99% |
| SECOND FLOOR | 233.1' | 176.1' | 75.55% |
| TOTAL | 449.7' | 327.7' | 72.87% |

| DEMOLITION JUSTIFICATION PER SFPC 1005 (f)(4) (FLOOR PLATES) | | | |
|--|---------------------|-------------------|---------------|
| HORIZONTAL SURFACE | (E) AREA Sq.Ft. | REMOVED | % REMOVED |
| FIRST FLOOR | 1468 | 0 | 0% |
| SECOND FLOOR | 1468 | 0 | 0% |
| ROOF | 1468 | 859 | 58.51% |
| TOTAL: | 4,402 ± S.F. | 859 ± S.F. | 19.51% |

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JOB NO. 17-1741

SHEET NO. **A-5.0**



Existing Front Elevation
1/8" = 1'-0"



Existing Rear Elevation
1/8" = 1'-0"



Existing Right Elevation
1/8" = 1'-0"



Existing Left Elevation
1/8" = 1'-0"

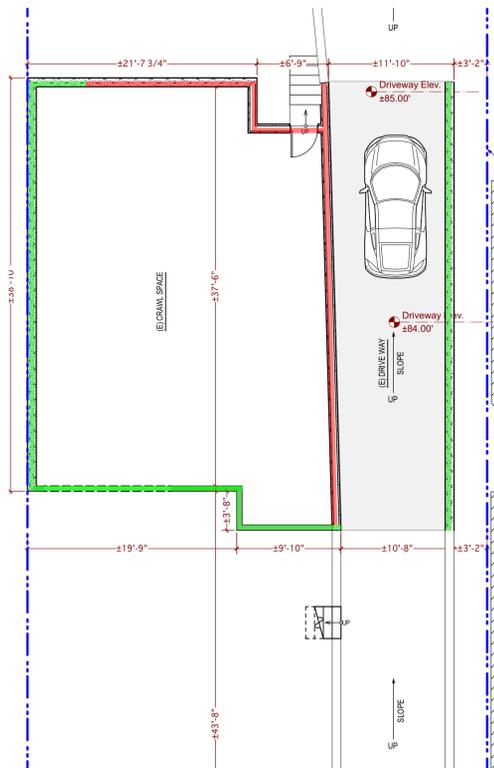
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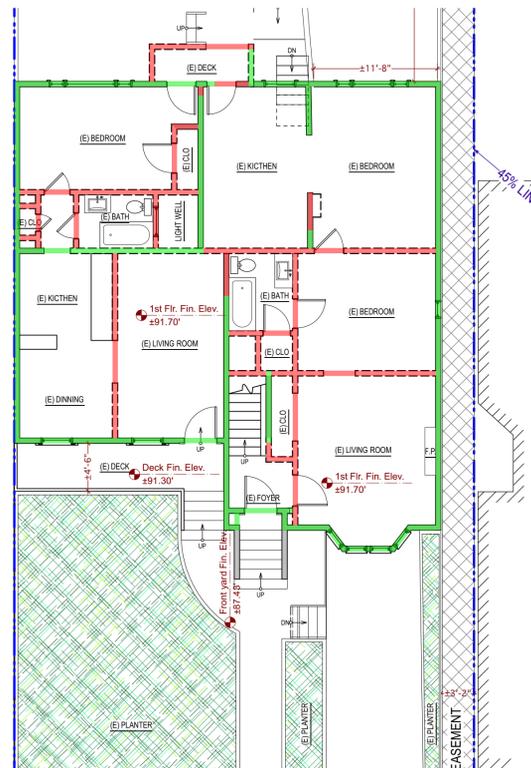
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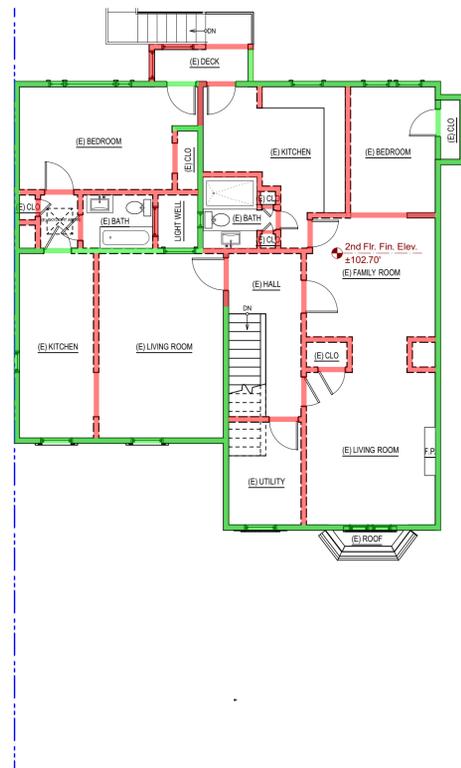
Demo Calc.
(Per SFPC
Section 317)



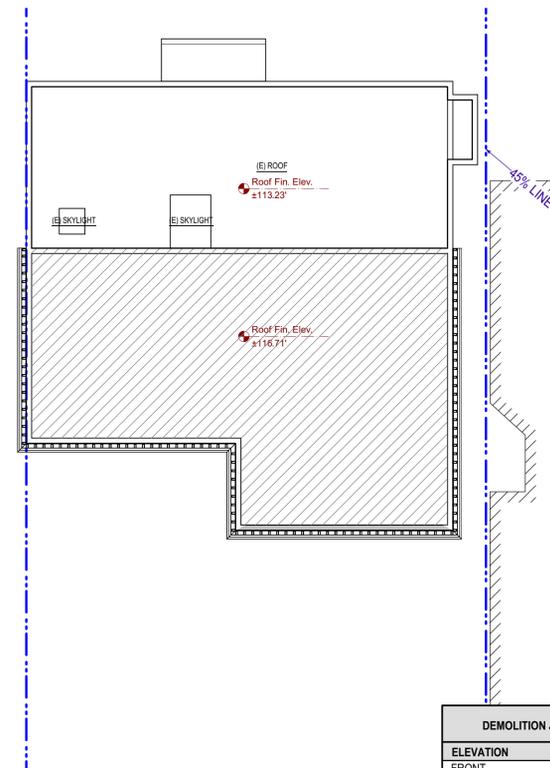
Existing Basement Plan
1/8" = 1'-0"



Existing First Floor Plan
1/8" = 1'-0"



Existing Second Floor Plan
1/8" = 1'-0"



Existing Roof Plan
1/8" = 1'-0"

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| DEMOLITION JUSTIFICATION PER SFPC 317(b)(2)(B) - PART 1 (FRONT AND REAR FACADE) | | | | |
|---|---------------|---------------|----------------|------------------|
| ELEVATION | (E) LIN. FT | REMOVED | % REMOVED | |
| FRONT | 30.41' | 12' | 39.46 % | |
| REAR | 28.42' | 23.09' | 81.25 % | |
| TOTAL | 58.83' | 35.09' | 59.65 % | > 50 % |

| DEMOLITION JUSTIFICATION PER SFPC 317(b)(2)(B) - PART 2 (ALL EXTERIOR WALL) | | | | |
|---|----------------|---------------|----------------|------------------|
| ELEVATION | (E) LIN. FT | REMOVED | % REMOVED | |
| FRONT | 30.41' | 12' | 39.46 % | |
| REAR | 28.42' | 23.09' | 81.25 % | |
| LEFT | 38' | 0' | 0 % | |
| RIGHT | 42.08' | 0' | 0 % | |
| TOTAL | 138.91' | 35.09' | 25.26 % | < 65 % |

| DEMOLITION JUSTIFICATION PER SFPC 317(b)(2)(C) - PART 1 (VERTICAL ENVELOPE) | | | | |
|---|--------------------|-------------------|----------------|------------------|
| ELEVATION | (E) AREA Sq.Ft. | REMOVED | % REMOVED | |
| FRONT | 1201 | 21 | 1.75 % | |
| LEFT | 1223 | 72 | 5.89 % | |
| RIGHT | 1224 | 123 | 10.05 % | |
| REAR | 1107 | 1079 | 97.47 % | |
| TOTAL: | 4755 ± S.F. | 1295± S.F. | 27.23 % | < 50 % |

| DEMOLITION JUSTIFICATION PER SFPC 317(B)(2)(C) - PART 2 (HORIZONTAL ELEMENTS) | | | | |
|---|----------------------|-------------------|----------------|------------------|
| LEVEL | (E) AREA Sq.Ft. | REMOVED | % REMOVED | |
| FIRST FLOOR | 1466 | 73 | 4.98 % | |
| SECOND FLOOR | 1468 | 61 | 4.16 % | |
| ROOF | 1468 | 859 | 58.51 % | |
| TOTAL: | 4,4002 ± S.F. | 993 ± S.F. | 22.56 % | < 50 % |

| | |
|--|----------------------------------|
| | WALL TO BE REMOVED |
| | WALL TO BE RETAINED |
| | HORIZONTAL ELEMENT TO BE REMOVED |

DRAWN A.HK.

CHECKED R.K.

DATE 02/22/2017

REVISED DATE 02/28/2020

JOB NO. 17-1741

SHEET NO. **A-5.1**

Thomas A. Willis
330 San Jose Ave.
San Francisco CA 94110
twillis623@gmail.com

March 11, 2020

VIA EMAIL

San Francisco Planning Commissioners
San Francisco Planning Department
1650 Mission Street, Suite 400
San Francisco CA 94103

Re: DR 2017-015039DRP (350-352 San Jose Avenue)

Dear Commissioners:

I am the requestor of the above-referenced discretionary review. I live next door and to the north of the proposed project. Our building (330-340 San Jose Ave.) is a 6-unit condominium; the five current owners of the units bought the building together in 2006. Thank you for considering our request for review.

I would like to focus on two aspects of the proposed project that I believe would cause extraordinary and exceptionally adverse conditions for us and would change our living situation for the worse.

First, our property has a 3' right of way easement that runs 120 feet on the northern edge of our building, from the front sidewalk on San Jose Ave. to our backyard, and it is the only way we can access our backyard from the front. (See attached condominium diagram and title report.) Most important, however, is the fact that over the decades, the 3' easement has essentially become seamlessly incorporated into our property and is used exclusively by us. The only access to the street from our building, our front stairs, is comprised almost entirely of the 3' easement. Then, once you get to the back of our building, the 3' easement opens up and becomes seamlessly incorporated into our backyard: it comprises an area where we store our garbage and recycle bins, and further on, comprises a part of a brick patio where we have a sitting area. There has never been any access to 350-352 San Jose Ave. from the easement since there is a significant grade change between the two properties and a fence has always existed on the south side of the easement, further giving the appearance that the easement is part of our property. Thus, from all appearances and based on actual use, the 3' easement has been used exclusively by us and incorporated into our daily lives: it forms our only access to the sidewalk (our front stairs), provides the only access to our backyard from the front, provides the only access to take garbage to the street, and is part of our backyard.

The new proposed building would come up to the southern edge of the easement for the length of the building and, most importantly, would provide access to the residents of 350-352 San Jose Ave. to the easement. In particular, the residents who occupy the basement units in the back could well use the easement as their primary mode of going to and from their apartments; it provides a convenient short-cut. That would dramatically change the way our property is used and would impact our privacy. To access the easement, the residents of 350-352 San Jose Ave. would use the front stairs to our building and then would be free to walk down the easement into what is now our backyard. Moreover, the project essentially takes 3' feet of our backyard away from us, meaning that a portion of our brick patio will have to be ripped up in that area and reconfigured. Our backyard becomes 3' smaller in that area. And if we want any privacy between us and 350-352 San Jose Ave., we will have to build a fence three feet into our backyard, on the northern edge of the easement line.

Given that the occupants of our building have been clearly using the easement area for their exclusive use and for purposes beyond just ingress and egress for decades, we believe we have potentially acquired greater rights to the easement. *See McBride v. Smith*, 18 Cal.App.5th 1160 (2018) (permitting a right of action for greater rights through prescription than the original easement). We therefore respectfully ask the Commission to take into consideration this possible prescriptive easement and the adverse effects this project has to our privacy and use of the easement area, and consider options where the easement would not be used by the residents of 350-352 San Jose Ave. or that would not reduce the size of our backyard.

Second, we urge the Planning Commission to consider requiring the proposed building to be moved forward 10-15 feet, thereby more closely matching the footprint of its neighbor buildings, and reducing its footprint in the back, where the building's 40-foot height will dramatically reduce the natural light and air that both us and the neighbors (370 San Jose Ave.) get from the open spaces behind our buildings. The 350-352 San Jose Ave. building is currently set way back from the street (40 feet), and even though it will move forward 15 feet in the new plan, there is still plenty of room to move more (25 feet). That is important because our building is 10 feet closer to the sidewalk, and the neighbor on the other side has a garage and building at the front of his lot, so moving the building forward will better align it with the neighbor buildings, while reducing its footprint in the back, where it dramatically and adversely affects our natural light. Both us and the neighbors (370 San Jose) have green space backyards that will now be walled in by the 40-foot building. Moving the building 10-15 feet forward would greatly improve the quality of the light and air in the backyard and would reduce the negative impact the building will have in getting natural light into our units from rear windows. This would be a huge improvement, without causing any apparent burdens.

Finally, I would like to thank the applicant and his architect for meeting with us, for being very responsive to our inquiries, and for proposing some changes to the plan to help with privacy. However, given the significant impact the building will likely have on us, I respectfully request that the Commission seriously consider our concerns over the easement and siting of the building. Thank you for your consideration.

Very Truly Yours,

A handwritten signature in black ink, appearing to read 'T. Willis', with a long horizontal flourish extending to the right.

Thomas A. Willis

EXHIBIT B

UNIT DIAGRAMS FOR THE CONDOMINIUM PLAN OF
330-340 SAN JOSE AVENUE
SAN FRANCISCO CALIFORNIA
NOVEMBER 2014

GENERAL NOTES:

1. THE SUBDIVISION DEPICTED HEREON IS SUBJECT TO THE PROVISIONS OF THE DAVIS-STIRLING COMMON INTEREST DEVELOPMENT ACT.
2. UNIT MEANS THE AREAS SO DESIGNATED ON THE CONDOMINIUM PLAN. EXCEPT AS OTHERWISE PROVIDED ON THE CONDOMINIUM PLAN, EACH UNIT CONSISTS OF THE AREA BOUNDED BY THE INTERIOR UNFINISHED SURFACES OF ITS PERIMETER WALLS, BEARING WALLS, FLOORS, FIREPLACES, CEILINGS, WINDOWS AND INTERIOR PORTIONS OF WINDOW FRAMES AND TRIM, DOORS (INCLUDING WINDOWS IN DOORS) AND INTERIOR PORTIONS OF DOOR FRAMES AND TRIM, AND INCLUDES BOTH THE PORTIONS OF THE BUILDING SO DESCRIBED AND THE AIRSPACE SO ENCOMPASSED. A UNIT INCLUDES (I) THE WALLBOARD, PLASTER AND PAINT ON ALL INTERIOR SURFACES LOCATED OR EXPOSED WITHIN THE UNIT, (II) WINDOW SASHES OR OTHER ELEMENTS THAT DIRECTLY CONTACT THE GLASS PORTION OF THE WINDOW, (III) DOOR AND WINDOW HARDWARE AND ALL MECHANICAL ELEMENTS OF DOORS AND WINDOWS, AND (IV) PORTIONS OF THE ELECTRICAL, PLUMBING, HVAC, AND OTHER SYSTEMS SERVING ONLY THE UNIT. A UNIT DOES NOT INCLUDE ANY PORTION OF THE FRAMES OF WINDOWS OR EXTERIOR DOORS WHICH IS NOT EXPOSED WITHIN A UNIT INTERIOR, OR ANY STRUCTURAL COMPONENT OF WALLS, CEILINGS, AND FLOORS.
3. THE COMMON AREA CONSISTS OF THE ENTIRE PROPERTY EXCEPT FOR THE UNITS.
4. A CONDOMINIUM IS A UNIT TOGETHER WITH AN UNDIVIDED INTEREST IN THE COMMON AREA.
5. THE DIMENSIONS AND ELEVATIONS ON THE UNITS ARE INTENDED TO BE THE UNFINISHED FLOORS, WALLS, AND CEILINGS OF THE UNIT.
6. ALL ANGLES ARE 90 DEGREES UNLESS OTHERWISE NOTED.
7. ALL WALLS ARE 0.5' THICK.
8. ALL DISTANCES ARE MEASURED IN FEET AND DECIMALS THEREOF.
9. THE ELEVATIONS SHOWN ON THESE SHEETS ARE BASED ON CITY OF SAN FRANCISCO DATUM. THE BENCH MARK FOR THIS SURVEY IS THE PLUS CUT IN THE SIDEWALK NEAR THE BUILDING AT THE SOUTHEAST CORNER OF GUERRERO STREET AND 26TH STREET.
ELEVATION = 90.458 FEET

SURVEYOR'S STATEMENT:

THESE UNIT DIAGRAMS WERE PREPARED BY ME, OR UNDER MY DIRECTION, AND ARE BASED UPON A FIELD SURVEY, AT THE REQUEST OF TOM WILLIS IN SEPTEMBER OF 2013. IN CONFORMANCE WITH THE DAVIS-STIRLING COMMON INTEREST DEVELOPMENT ACT, SECTION 4285(B), THESE UNIT DIAGRAMS ARE THE "THREE-DIMENSIONAL DESCRIPTION" PORTION OF THE CONDOMINIUM PLAN.

DATE: _____

PRELIMINARY

RICHARD L. LANGFORD PLS 6895

LICENSE EXPIRATION DATE: JUNE 30, 2015

LANGFORD LAND SURVEYING



424 PRESTON COURT
LIVERMORE, CA 94551
PHONE (510) 530-5200

JOB#13-3072 DRAWING=3072SANJ.DWG

SHEET
1 OF 6

SAN JOSE AVENUE

36.42'

207.88'

EXHIBIT B

UNIT DIAGRAMS
FOR THE CONDOMINIUM PLAN OF
330-340
SAN JOSE AVENUE
SAN FRANCISCO CALIFORNIA
NOVEMBER 2014

SIX-UNIT BUILDING

92.49'

137.77'

OVERVIEW

BUILDING CORNER

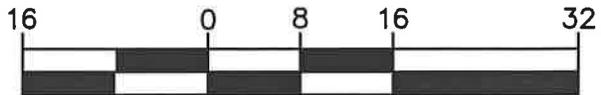


ACCESS EASEMENT
3 FOOT WIDE. 120 FOOT LONG

58.11'

SHED

GRAPHIC SCALE



(IN FEET)
1 INCH = 16 FEET

26TH STREET

LANGFORD LAND SURVEYING



424 PRESTON COURT
LIVERMORE, CA 94551
PHONE (510) 530-5200

JOB#13-3072 DRAWING=3072SANJ.DWG

SHEET
2 OF 6



275 Battery Street, Suite 1500
San Francisco, CA 94111
(415) 397-0500 Fax: (415) 397-0199

PRELIMINARY REPORT

UPDATED

C/O REMCHO, JOHANSEN & PURCELL
201 DOLORES AVENUE
SAN LEANDRO, CA 94577

Our Order Number 0227013377-HK

Attention: TOM WILL, ET AL

When Replying Please Contact:

Harold Kan
HKan@ortc.com
(415) 397-0500

Property Address:

330 - 340 San Jose Avenue, San Francisco, CA 94110

In response to the above referenced application for a policy of title insurance, OLD REPUBLIC TITLE COMPANY, as issuing Agent of Old Republic National Title Insurance Company, hereby reports that it is prepared to issue, or cause to be issued, as of the date hereof, a Policy or Policies of Title Insurance describing the land and the estate or interest therein hereinafter set forth, insuring against loss which may be sustained by reason of any defect, lien or encumbrance not shown or referred to as an Exception below or not excluded from coverage pursuant to the printed Schedules, Conditions and Stipulations of said policy forms.

The printed Exceptions and Exclusions from the coverage and Limitations on Covered Risks of said Policy or Policies are set forth in Exhibit I attached. The policy to be issued may contain an arbitration clause. When the Amount of Insurance is less than that set forth in the arbitration clause, all arbitrable matters shall be arbitrated at the option of either the Company or the Insured as the exclusive remedy of the parties. Limitations on Covered Risks applicable to the Homeowner's Policy of Title Insurance which establish a Deductible Amount and a Maximum Dollar Limit of Liability for certain coverages are also set forth in Exhibit I. Copies of the Policy forms should be read. They are available from the office which issued this report.

Please read the exceptions shown or referred to below and the exceptions and exclusions set forth in Exhibit I of this report carefully. The exceptions and exclusions are meant to provide you with notice of matters which are not covered under the terms of the title insurance policy and should be carefully considered.

It is important to note that this preliminary report is not a written representation as to the condition of title and may not list all liens, defects, and encumbrances affecting title to the land.

This report (and any supplements or amendments hereto) is issued solely for the purpose of facilitating the issuance of a policy of title insurance and no liability is assumed hereby. If it is desired that liability be assumed prior to the issuance of a policy of title insurance, a Binder or Commitment should be requested.

Dated as of May 15, 2015, at 7:30 AM

OLD REPUBLIC TITLE COMPANY
For Exceptions Shown or Referred to, See Attached

Page 1 of 7 Pages

OLD REPUBLIC TITLE COMPANY
ORDER NO. 0227013377-HK
UPDATED

The form of policy of title insurance contemplated by this report is:

CLTA Standard Coverage Policy -1990; AND ALTA Loan Policy - 2006. A specific request should be made if another form or additional coverage is desired.

The estate or interest in the land hereinafter described or referred or covered by this Report is:

Fee as to Parcel One and an Easement as to Parcel Two

Title to said estate or interest at the date hereof is vested in:

Thomas A. Willis, an unmarried man; Minh P. Trinh, an unmarried man; Carlo Camozzi and Lisa E. Camozzi, husband and wife as community property with right of survivorship; Risley H. Sams, an unmarried man; Joe N. Sarantis, surviving spouse, all as tenants in common

The land referred to in this Report is situated in the County of San Francisco, City of San Francisco, State of California, and is described as follows:

PARCEL ONE

Beginning at a point on the westerly line of San Jose Avenue, distant thereon 207 feet and 10-1/2 inches northerly from the northerly line of 26th Street; running thence northerly along said line of San Jose Avenue 36 feet and 5 inches; thence at a right angle westerly 91 feet and 11-1/2 inches to the southerly line of lands of Southern Pacific Company; thence southwestery along said line of said lands of Southern Pacific Company, 58 feet and 5-5/8 inches, more or less, to the intersection of a line drawn westerly at right angles to the westerly line of San Jose Avenue from the point of beginning; thence easterly along the line so drawn 137 feet and 8-3/8 inches, more or less to the point of beginning.

Being a portion of Horner's Addition Block No. 6.

PARCEL TWO

Right of way for ingress and egress over the following described parcel:

Beginning at a point on the westerly line of San Jose Avenue, distant thereon 204 feet and 10-1/2 inches northerly from the northerly line of 26th Street; running thence northerly along said line of San Jose Avenue 3 feet; thence at a right angle westerly 120 feet; thence at a right angle southerly 3 feet; thence at a right angle easterly 120 feet to the point of beginning.

Being a portion of Horner's Addition Block No. 6.

Assessor's Lot 10; Block 6532

On 4/20/2018, Megan Calpin received the signed Affidavit of Mailing showing that the notification period of 14 days ended: 5/4/2018; reissue sent 5/3 and close of comment period is 5/17

| Date Received | Name | Affiliation | Address | Phone | Email | Format | Comments and Concerns | Follow-up requested |
|---------------|--|-------------------------------|--|--------------|--|-------------------|--|--|
| 4/23/2018 | Patrick Freilinger | neighbor | 361 San Jose Avenue | | pfreilinger@gmail.com | phone call | Would like to receive any documents related to this case. | electronic copy of the plans and other documents concerning the project |
| 4/23/2018 | Marvis J Phillips | District 6 Community Planners | 230 Eddy Street, #1206 San Francisco, CA | 94102-6526 | 415-674-1935 | Phone (voicemail) | Requesting hard copy of environmental clearance document Way out of style, greedy out of town money Impact the neighborhood would be immense Balconies will be hanging over the park 4th floor penthouse Third floor is out of character Doesn't fit the neighborhood, disrupt everything Outside money coming in to change the neighborhood Admitted they will make them into condos Park will lose open space and air | Send hard copy of ENV clearance document |
| 4/24/2018 | Jo Babcock | neighbor | 374 San Jose Ave | 415-509-7336 | babcock.jo@gmail.com | Phone | A lot of us are very upset of how this would change the character of our neighborhood; it's being proposed by people who aren't from here at all. I'm really disturbed by how high they want to make it; the balconies facing the park; Noise levels and obnoxious use facing the park The other side faces the callers property A ton of windows facing a private yard It's really disturbing; way out of character We've have had a situation where someone set old christmas trees in Juri Commons Fire safety concerns They have four units and they are going to do 12 I don't know if they were putting in affordable housing, I would have a really different attitude towards it; it sounds like they are likely to condo-ize and it sounds like it is only going to be affordable to new residents who have a lot more money than existing residents Environmental concerns: there are four parking spaces for 12 units; parking is already really awful; school nearby; faculty of school parking in the area; people doing childcare; in favor of more parking being in provided; empty lot behind the property was rented out; more than six or seven spots provided. | Send hard copy of ENV clearance document |
| 4/24/2018 | Mary Catherine Costello | neighbor | 374-378 B San Jose Ave | 415-695-2911 | kittycostello@earthlink.net | Phone | Concerns about windows facing into the park or overlooking their private backyards The building at 350-352 San Jose Ave is a 4 unit rent-controlled apartment building. The owner, 350 San Jose Ave LLC, who apparently acquired the building in November 2017, plans to do a horizontal and vertical addition so that this Mission district building in District 8 will have 8 new units for a total of 12 units. No planner for the project has yet been identified. The project will most likely involve tenant removal during construction. Please ensure that ALL environmental notices go to the occupants/tenants of all units. As soon as a planner is assigned to this project, please transmit this request to the planner. Issues regarding construction impacts on EXISTING TENANTS in the building must be clearly set out. | Send electronic copy of ENV clearance document |
| 4/24/2018 | Harry Louie | neighbor | | 415-642-9602 | | Phone | | None |
| 4/25/2018 | Sue Hestor | lawyer, advocate | n/a | n/a | hestor@earthlink.net | email | | Please ensure that ALL environmental notices go to the occupants/tenants of all units. |
| 4/26/2018 | Spike Kahn | | | | < spikekahn@gmail.com >; | | copied on email from Sue Hestor | |
| 4/27/2018 | Peter Papadopoulos | | | | < papadooloo@gmail.com >; | | Copied on email from Sue Hestor | |
| 4/28/2018 | Jennifer Fieber | SF Tenant's Union | | | < jennifer@sftu.org > | | copied on email from Sue Hestor | |
| n/a | on behalf of the tenants of 350 San Jose Ave | | 350 San Jose Avenue | n/a | n/a | mail | n/a | Ensure all environmental notices go the occupants/tenants of all units |

4/27/2018 Andrew

neighbor

phone

Very concerned about a very negative impact on the environment, on the block and the neighborhood; zoning for moderate density; if they were to go for it with described, it would be beyond the density; this block cannot handle this impact; having this kind of increase in the population density;
Juri Commons impact - terraces overlooking the park; peopel that have a pleasant walk through the park are going to have a mini soaring skyscraper overlooking
This is luxury condos - this is just a pure greedy move to make money; they are going to be excavating and it will be nothing good
These people are already unscrupulous neighbors - they have already done unpermitted welding
Traffic on the street is unsafe - need stop signs at 25th and 26th street

n/a

3/9/20

David Winslow, planner
SF Planning Dept
1650 Mission St; Suite #400
San Francisco, CA 94103

Dear David Winslow and SF Planning Dept.

re: Case No: 2017-015039DRP
350-52 San Jose Avenue

70 foot rear extension & 15 foot front extension? That's CRAZY! 2019 plan re: **40' extension** was already too big! The new proposal is 3x larger and out of character with our neighborhood. We need affordable housing, NOT luxury condos towering over our yards and Juri Commons Park!

The back yard at 350-52 San Jose needs to stay unchanged as open, healthy, yard space. A large, 3-story building extending 70' further back into the rear yard would block views from the park, cast long shadows, lessen the quality of life in our neighborhood, surrounding properties and it's a violation of the open space/yard rules. Leave the back yard unchanged!

*What happened to the 4 rent controlled apartments at 350-52 San Jose Ave?

*Where are the "low income" units in their proposal? (10% per every ten units)

New Plan - Extend old building forward (only) and add affordable housing!

Jo Babcock
374 San Jose Avenue
SF, CA94110

OPPOSED to 70" Rear Extension at 350-52 San Jose Avenue, SF, CA 94110

| | print name | address | signature | contact |
|----|--------------------|--------------------------------------|-----------|-----------------------------|
| 1 | Jo Babcock | owner: 378-B San Jose Ave. | | babcock.jo@gmail.com |
| 2 | Kitty Costello | owner: 374 San Jose Ave. | | // // |
| 3 | Carlo Camozzi | owner: 330 San Jose Ave | | carlocamozzi@me.com |
| 4 | Tom Willis | owner: 332 San Jose Ave | | 415-860-1145 |
| 5 | Minh Trinh | owner: 334 San Jose Ave | | minh.trinh@gmail.com |
| 6 | Risley | owner: 336 San Jose Ave | | 415-244-1670 |
| 7 | Andrew Leitchman | 338 San Jose Ave | | alrgjoey@gmail.com |
| 8 | Robin | 338 San Jose Ave | | alrgjoey@gmail.com |
| 9 | Cheri Raciti | owner: 365 San Jose Ave owner: | | cherieraciti@spcgldbal.net |
| 10 | Harry Louie | 367 (rear) San Jose Ave | | 415- |
| 11 | Yolanda Lopez | 380 San Jose Ave #4 | | 415- |
| 12 | Edmund Green | 380 San Jose Ave #4 | | 415- |
| 13 | Dave Schweisguth | owner: 392 San Jose Ave | | dave@schweisguth.org |
| 14 | Penny Schweisguth | owner: 392 San Jose Ave | | // // |
| 15 | James Golden | 373 San Jose Ave | | 267-625-5460 |
| 16 | Alysan Berliner | 373 San Jose Ave | | -- -- |
| 17 | Jerry Bernal | owner: 371-385 San Jose Ave | | |
| 18 | Marnie | 383-A San Jose Ave | | |
| 19 | Mr. Martin Windel | owner: 1375 Guerrero St. | | |
| 20 | Mrs. Martin Windel | owner: 1375 Guerrero St. | | |
| 21 | Donelle Malnik | 250 San Jose Ave | | hairandheavymetal@gmail.com |

PROJECT NAME
350 SAN JOSE AVE.
 SAN FRANCISCO, CA



SIA CONSULTING CORPORATION
 4742 MISSION STREET
 SAN FRANCISCO CA 94112
 TEL: (415) 741.1292
 FAX: (415) 849.1252
 WWW.SIACONSULT.COM

SHEET TITLE

Photographs (1)

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ISSUES / REVISIONS

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DRAWN A.A.

CHECKED R.K.

DATE 02/22/2017

REVISED DATE 05/14/2020

JOB NO. 17-1741

SHEET NO. **A-0.3**



1-SUBJECT PROPERTY'S LEFT VIEW



2-SUBJECT PROPERTY



3-SUBJECT PROPERTY'S RIGHT VIEW



4-PROPERTY ACROSS FROM SUBJECT PROPERTY



5-PROPERTY ACROSS FROM SUBJECT PROPERTY



6-PROPERTY ACROSS FROM SUBJECT PROPERTY

PROJECT NAME
350 SAN JOSE AVE.
 SAN FRANCISCO, CA



SIA CONSULTING CORPORATION
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ISSUES / REVISIONS

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DRAWN A.A.

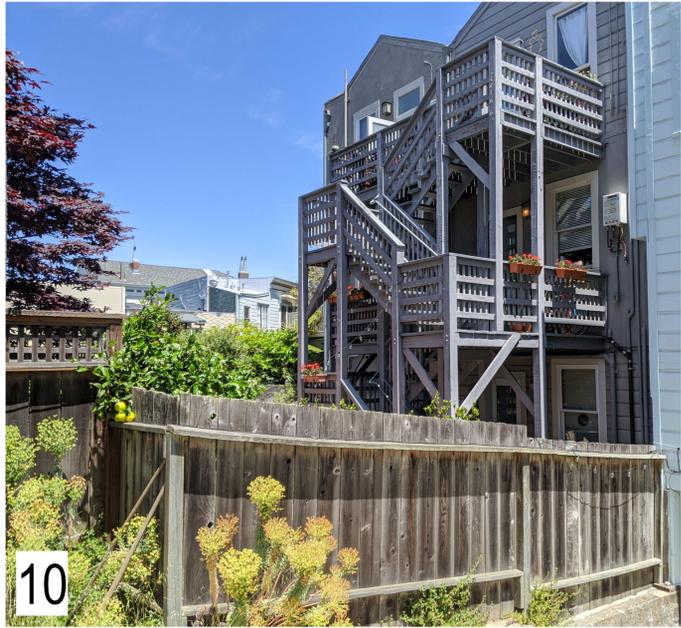
CHECKED R.K.

DATE 02/22/2017

REVISED DATE 05/14/2020

JOB NO. 17-1741

SHEET NO. **A-0.4**



PROJECT NAME
350 SAN JOSE AVE.
 SAN FRANCISCO, CA



SIA CONSULTING CORPORATION
 4742 MISSION STREET
 SAN FRANCISCO CA 94112
 TEL: (415) 741.1292
 FAX: (415) 849.1252
 WWW.SIACONSULT.COM

SHEET TITLE

Photographs (3)



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ISSUES / REVISIONS

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|--------------|--------------|
| DRAWN | A.A. |
| CHECKED | R.K. |
| DATE | 02/22/2017 |
| REVISED DATE | 05/14/2020 |
| JOB NO. | 17-1741 |
| SHEET NO. | A-0.5 |

BLOCK / LOT: 6545 / 003

PROPERTY LINE:

OUTLINE OF SUBJECT BUILDING:

OUTLINE OF NEIGHBORS:



REAR AVG. LINE CALC:

330 SAN JOSE REAR YARD: 42'-3"

374 SAN JOSE REAR YARD: 28'-8"

$42'-3" + 28'-8" = 70'-11" / 2 = 35'-5.5"$

PROJECT NAME

350 SAN JOSE AVE.
SAN FRANCISCO, CA



SIA CONSULTING CORPORATION
4742 MISSION STREET
SAN FRANCISCO CA 94112
TEL: (415) 741.1292
FAX: (415) 849.1252
WWW.SIACONSULT.COM

SHEET TITLE

(E) Site Plan

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ISSUES / REVISIONS

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DRAWN A.A.

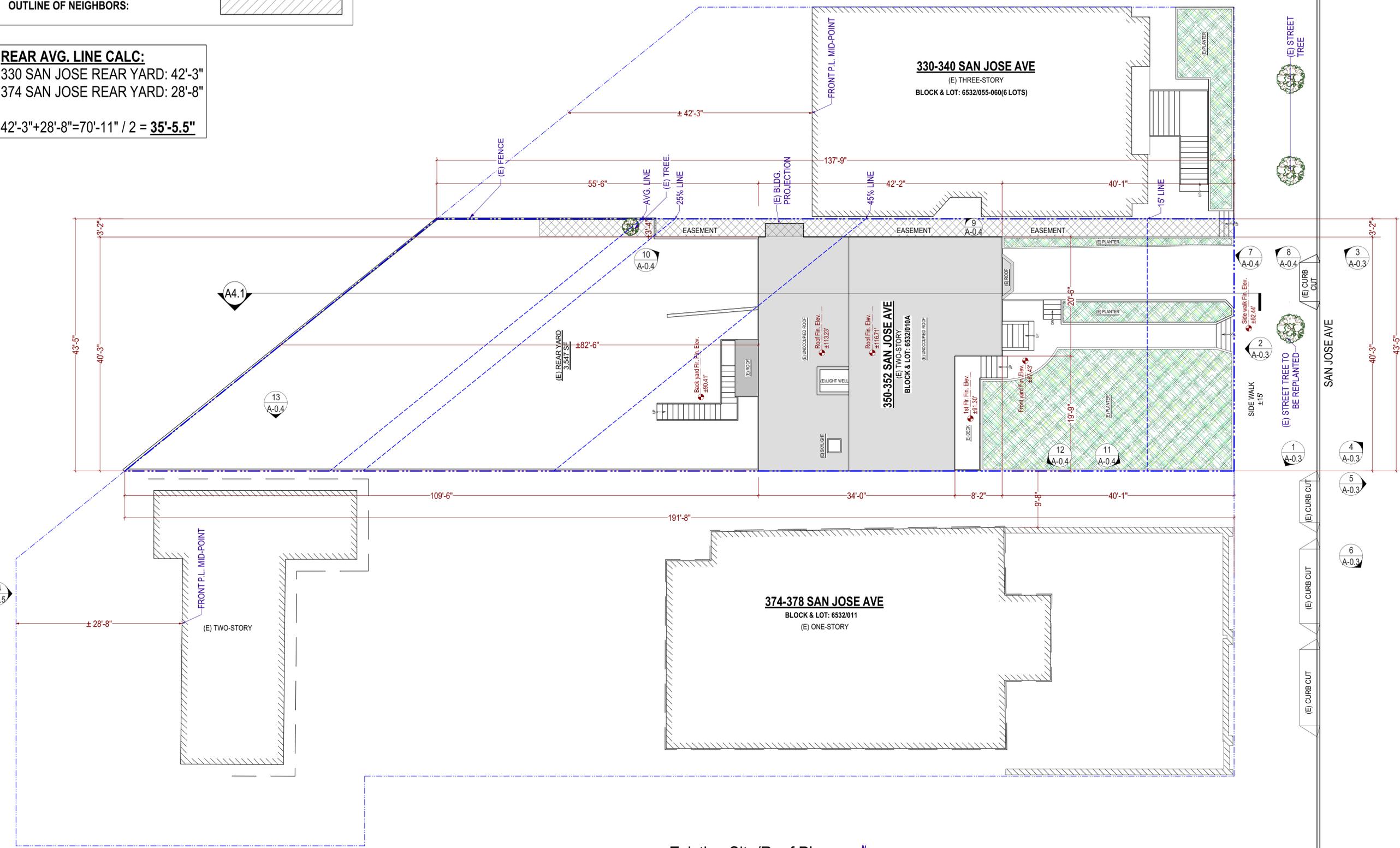
CHECKED R.K.

DATE 02/22/2017

REVISED DATE 05/14/2020

JOB NO. 17-1741

SHEET NO. **A-1.1**



Existing Site/Roof Plan
1/8" = 1'-0"
0' 1' 3' 5' 10' 15' 20'



BLOCK / LOT: 6545 / 003

PROPERTY LINE:

OUTLINE OF SUBJECT BUILDING:

OUTLINE OF NEIGHBORS:



REAR AVG. LINE CALC:

330 SAN JOSE REAR YARD: 42'-3"

374 SAN JOSE REAR YARD: 28'-8"

$42'-3" + 28'-8" = 70'-11" / 2 = 35'-5.5"$

PROJECT NAME

350 SAN JOSE AVE.
SAN FRANCISCO, CA



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4742 MISSION STREET
SAN FRANCISCO CA 94112
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SHEET TITLE

(N) Site Plan

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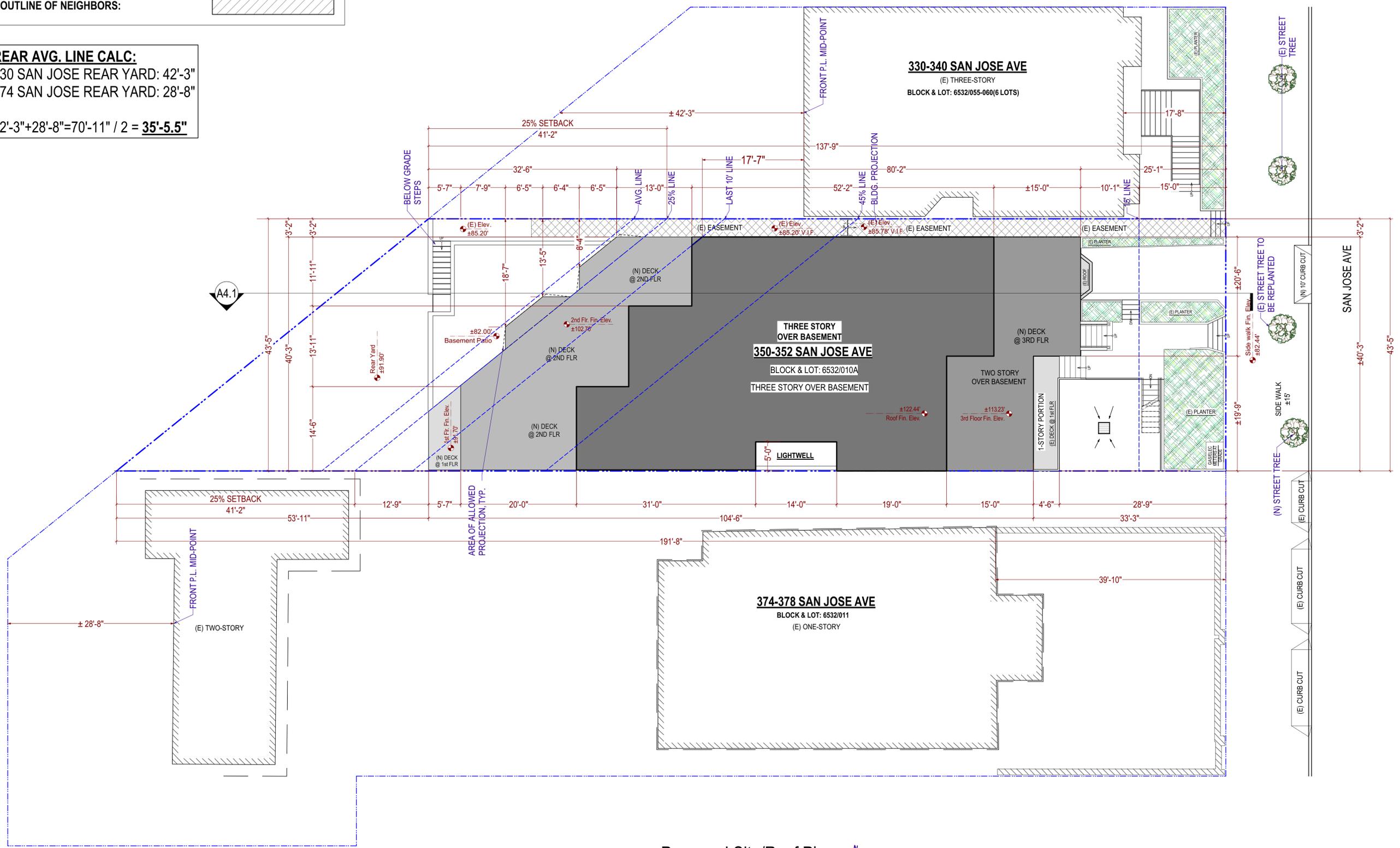
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JOB NO. 17-1741

SHEET NO. **A-1.2**



Proposed Site/Roof Plan
1/8" = 1'-0"
0' 1' 3' 5' 10' 15' 20'





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SHEET TITLE

Basement Plan

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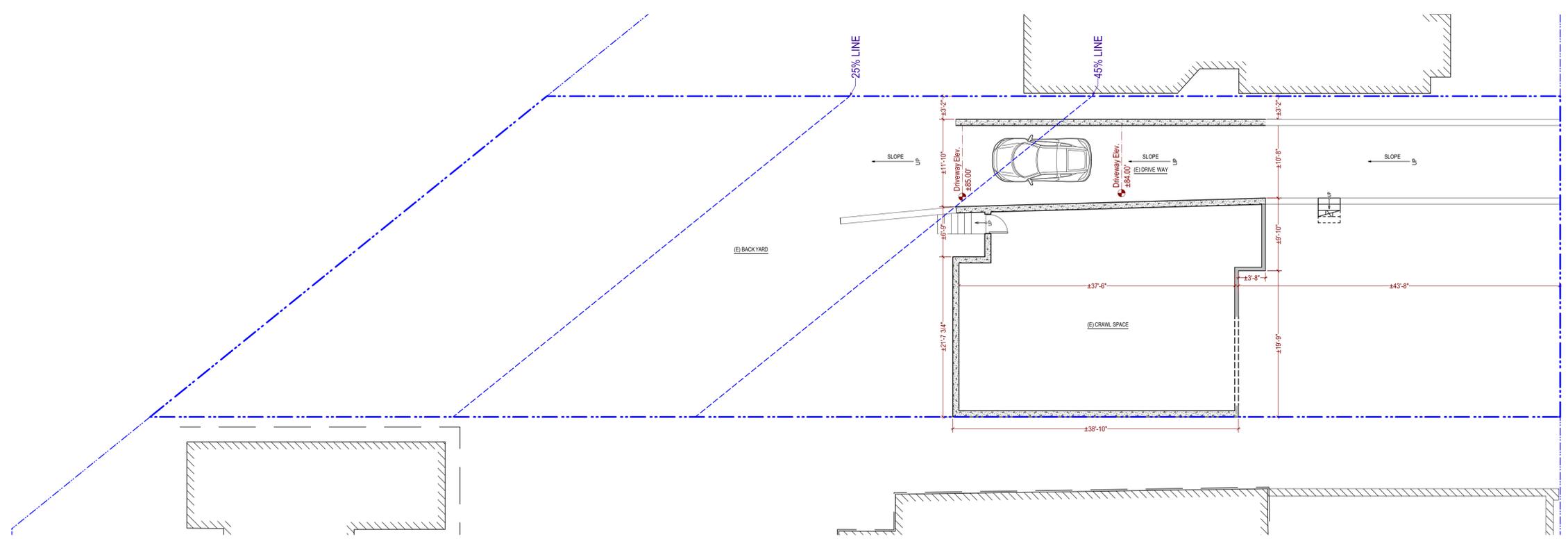
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REVISED DATE 05/14/2020

JOB NO. 17-1741

SHEET NO. **A-2.1**

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| | PROPERTY LINE |
| | (E) WALL TO BE REMOVED |
| | (E) CONCRETE WALL TO REMAIN |
| | (E) WALL TO BE RETROFITTED TO 1-HR. FIRE RATED |
| | (E) CONCRETE WALL TO REMAIN |
| | (N) WALL TO BE CONSTRUCTED |
| | (N) WALL TO BE 1-HR. FIRE RATED |
| | (N) PARAPET WALL TO BE 1-HR. FIRE RATED |
| | (N) CONCRETE WALL TO BE CONSTRUCTED |





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(E)&(N) FIRST FLOOR PLANS

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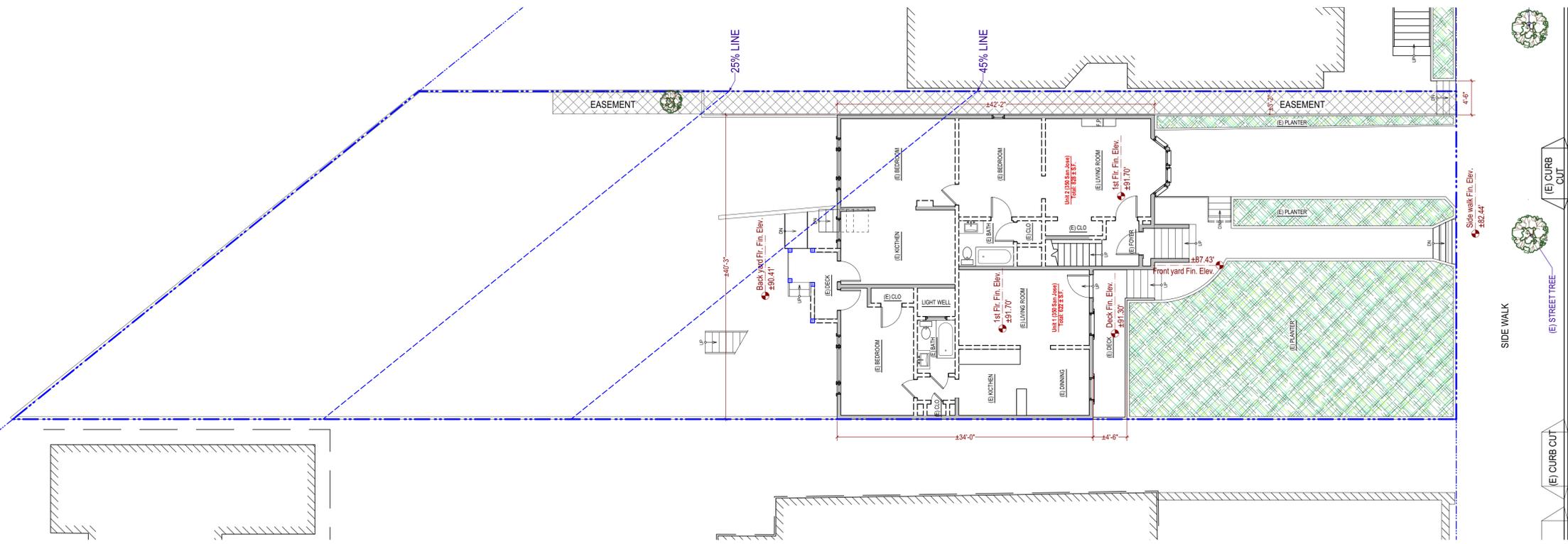
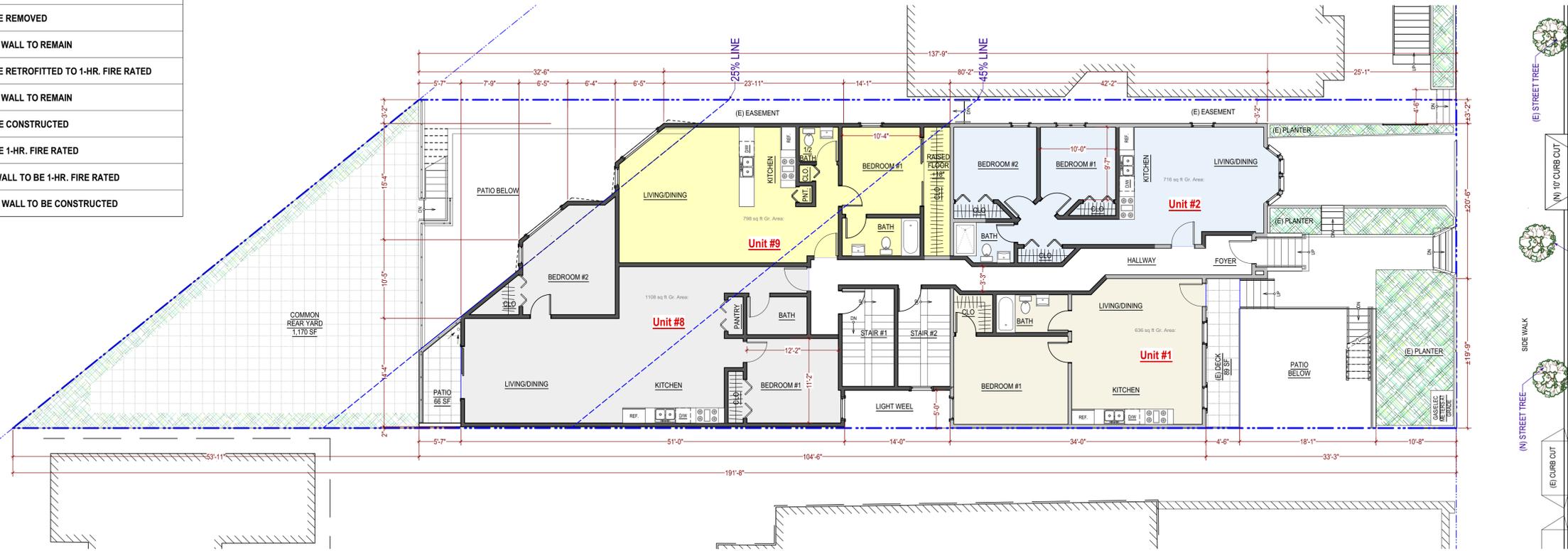
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JOB NO. 17-1741

SHEET NO. **A-2.2**

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| | PROPERTY LINE |
| | (E) WALL TO BE REMOVED |
| | (E) CONCRETE WALL TO REMAIN |
| | (E) WALL TO BE RETROFITTED TO 1-HR. FIRE RATED |
| | (E) CONCRETE WALL TO REMAIN |
| | (N) WALL TO BE CONSTRUCTED |
| | (N) WALL TO BE 1-HR. FIRE RATED |
| | (N) PARAPET WALL TO BE 1-HR. FIRE RATED |
| | (N) CONCRETE WALL TO BE CONSTRUCTED |





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**(E)&(N)
 SECONG
 FLOOR PLANS**

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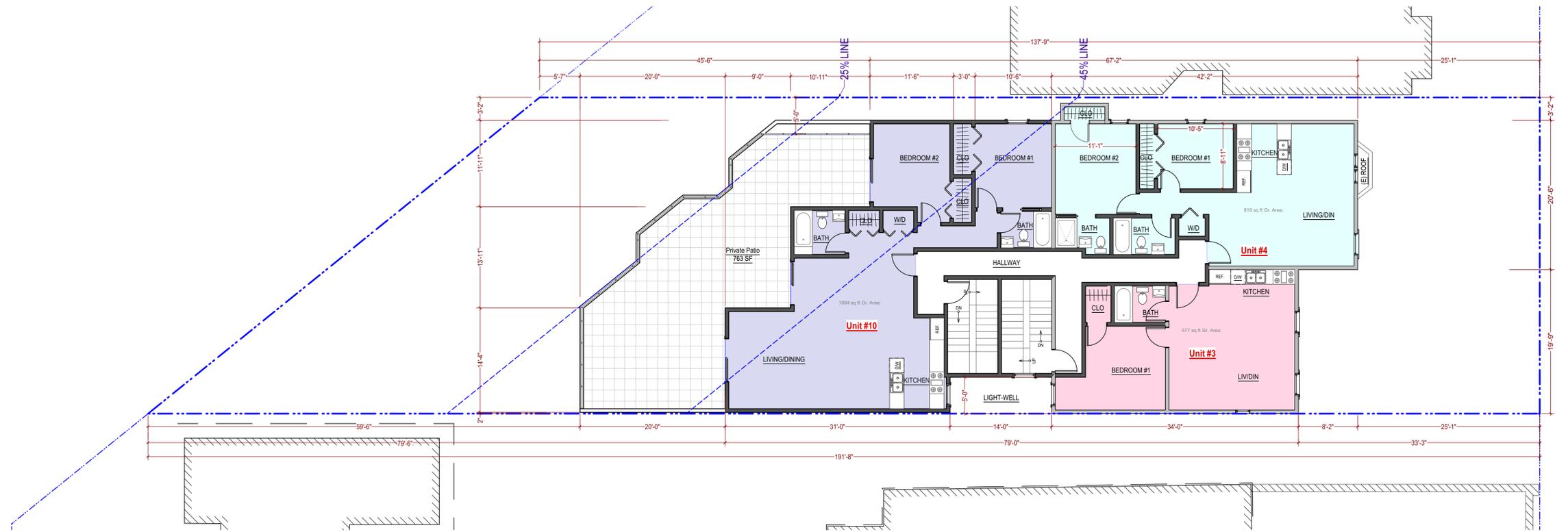
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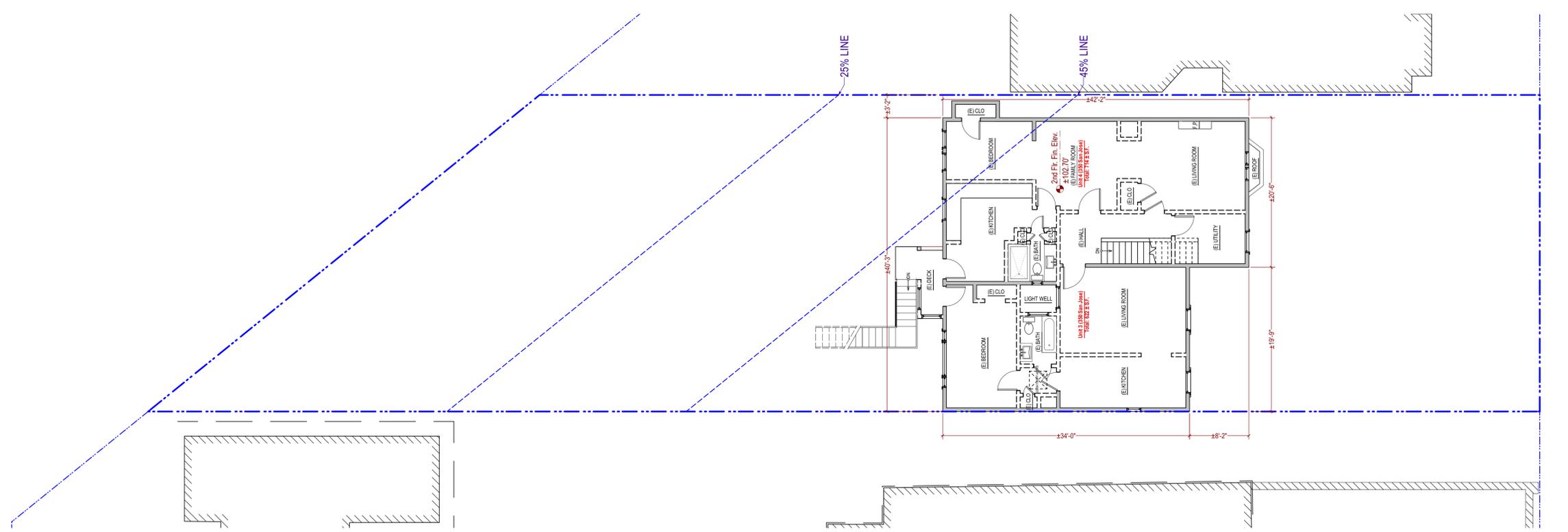
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| JOB NO. | 17-1741 |
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| SHEET NO. | A-2.3 |
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Proposed Second Floor Plan
 1/8" = 1'-0"



Existing Second Floor Plan
 1/8" = 1'-0"

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(N) THIRD FLOOR PLAN

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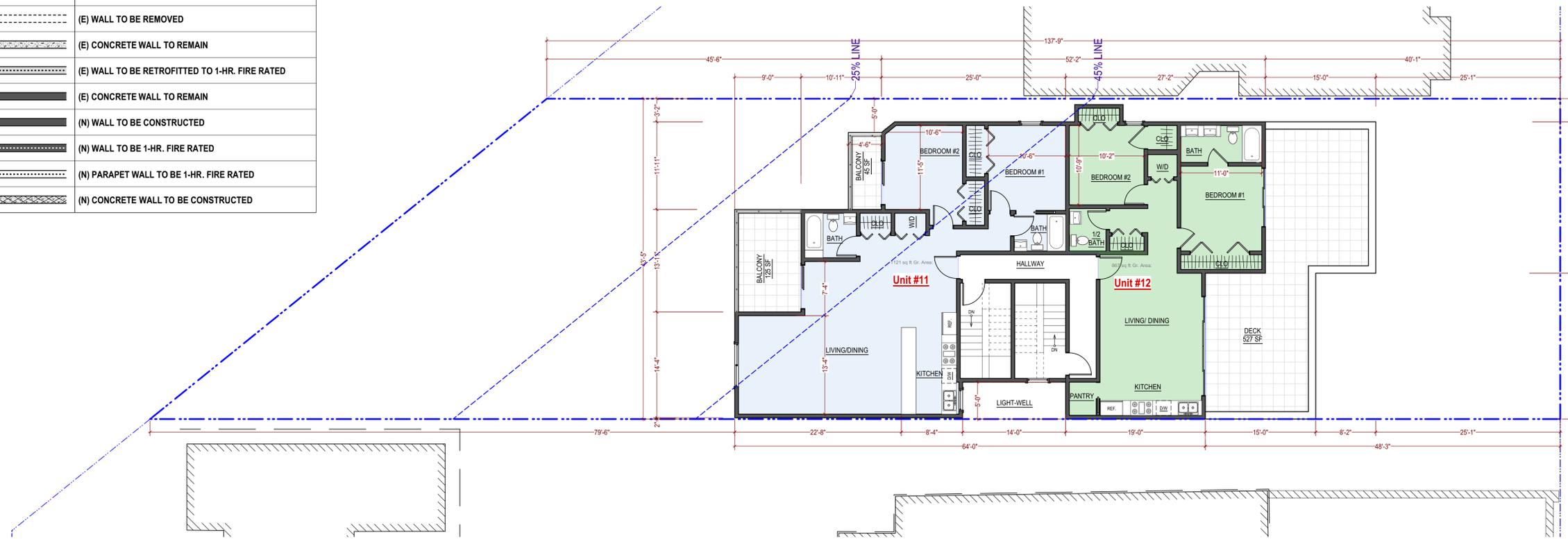
DATE 02/22/2017

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JOB NO. 17-1741

SHEET NO. **A-2.4**

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| | PROPERTY LINE |
| | (E) WALL TO BE REMOVED |
| | (E) CONCRETE WALL TO REMAIN |
| | (E) WALL TO BE RETROFITTED TO 1-HR. FIRE RATED |
| | (E) CONCRETE WALL TO REMAIN |
| | (N) WALL TO BE CONSTRUCTED |
| | (N) WALL TO BE 1-HR. FIRE RATED |
| | (N) PARAPET WALL TO BE 1-HR. FIRE RATED |
| | (N) CONCRETE WALL TO BE CONSTRUCTED |



Proposed Third Floor Plan
 1/8" = 1'-0"
 0' 1' 3' 5' 10' 15' 20'

NOTE:
 - ALL GLAZING SHALL BE BIRD-SAFE & SHALL COMPLY W/ PLANNING CODE SEC. 139.
 - ALL NEIGHBORS' BLDG ELEMENTS' SIZE & LOCATION ARE APPROX.

PROJECT NAME
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SHEET TITLE

Left Elevations

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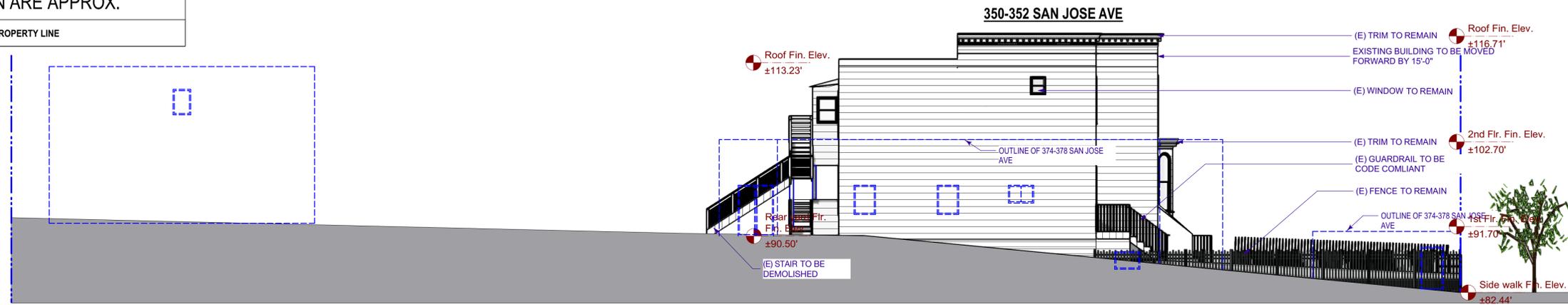
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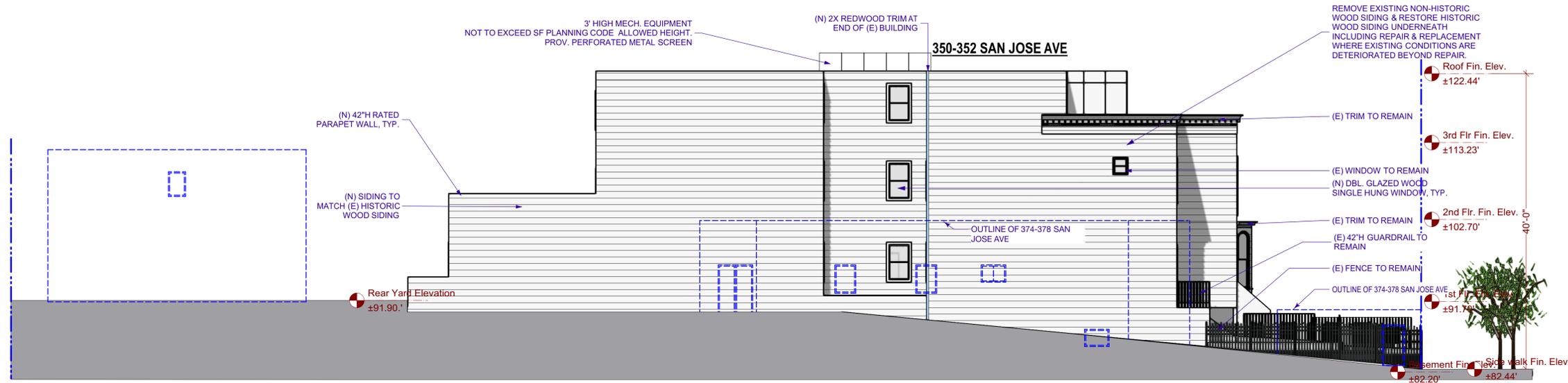
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SHEET NO. **A-3.2**



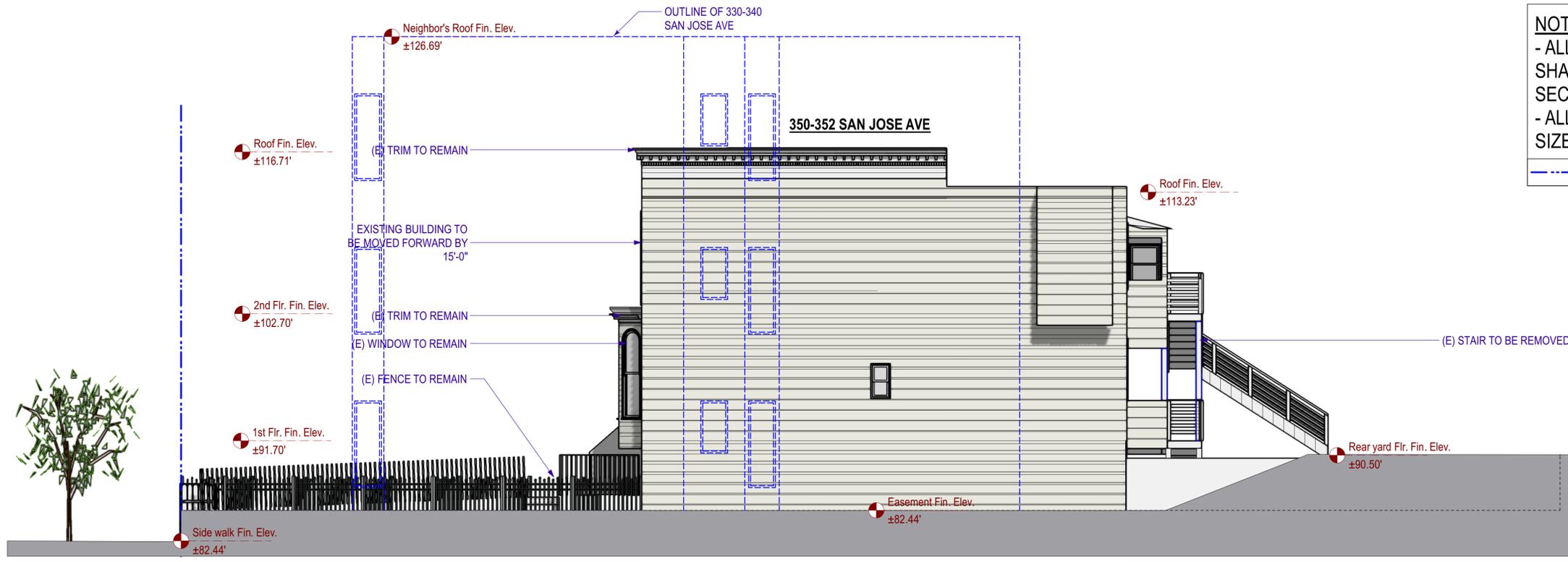
Existing Left Elevation (South)

1/8" = 1'-0"
 0' 1' 3' 5' 10' 15' 20'



Proposed Left Elevation (South)

1/8" = 1'-0"
 0' 1' 3' 5' 10' 15' 20'



NOTE:
 - ALL GLAZING SHALL BE BIRD-SAFE & SHALL COMPLY W/ PLANNING CODE SEC. 139.
 - ALL NEIGHBORS' BLDG ELEMENTS' SIZE & LOCATION ARE APPROX.

PROPERTY LINE

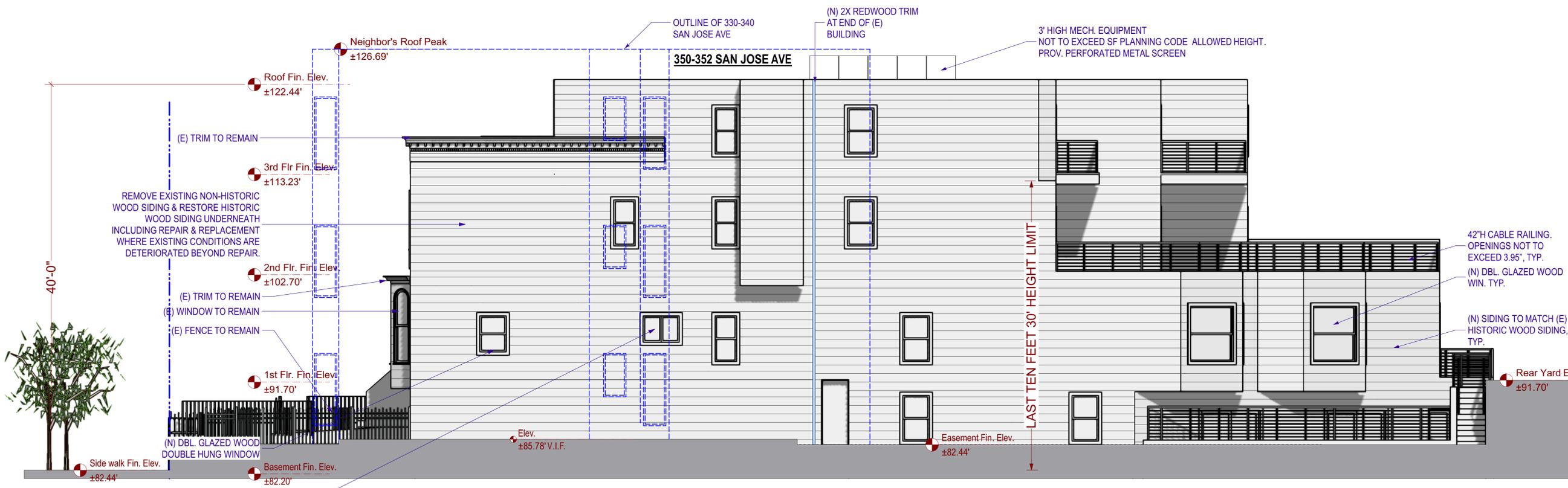
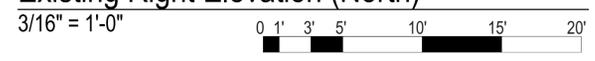
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SHEET TITLE
Right Elevations

Existing Right Elevation (North)



Proposed Right Elevation (North)



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| SHEET NO. | A-3.3 |

NOTE:
 - ALL GLAZING SHALL BE BIRD-SAFE & SHALL COMPLY W/ PLANNING CODE SEC. 139.
 - ALL NEIGHBORS' BLDG ELEMENTS' SIZE & LOCATION ARE APPROX.

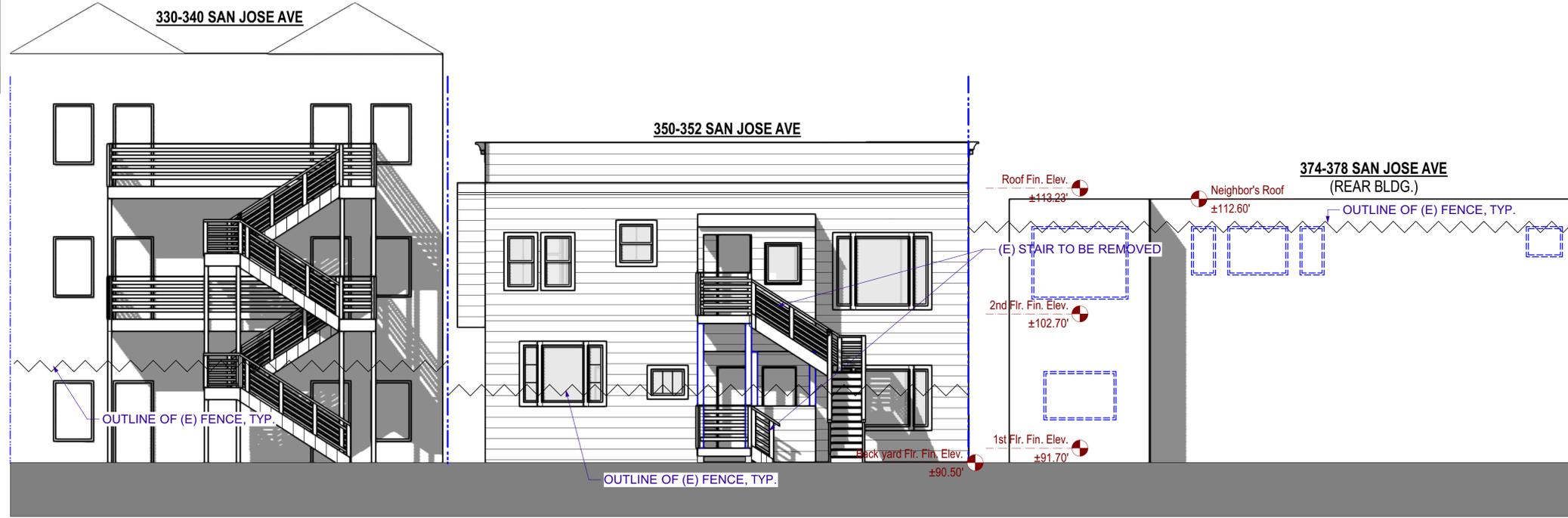
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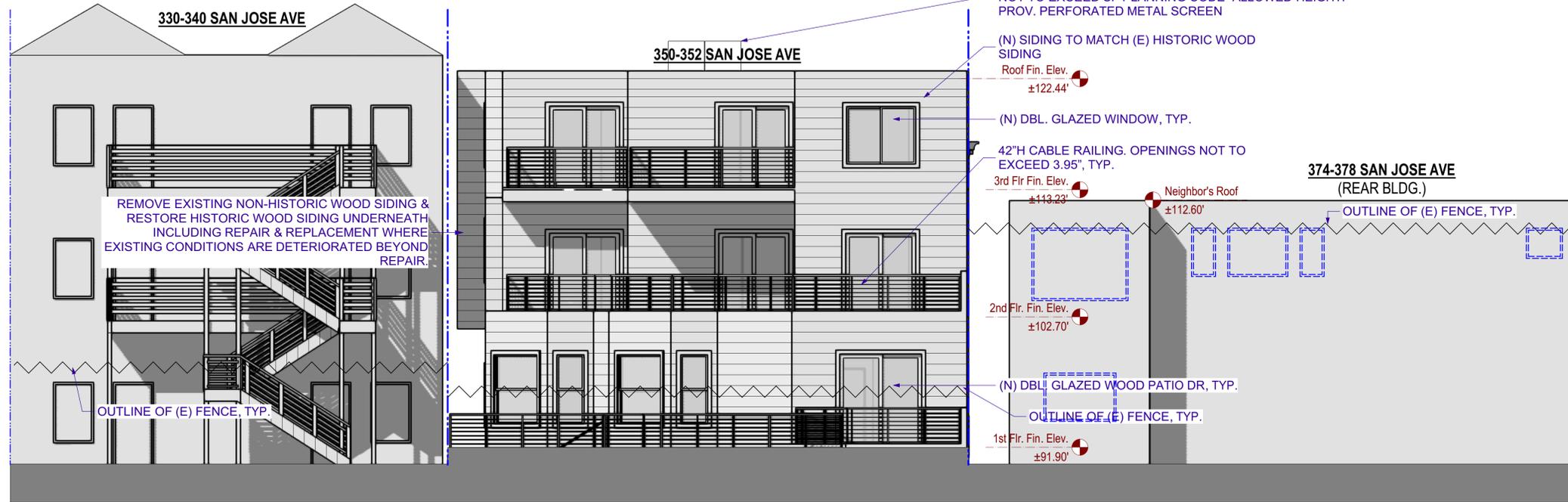
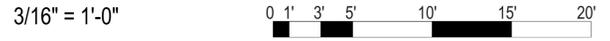
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SHEET TITLE

Rear Elevations



Existing Rear Elevation (West)



Proposed Rear Elevation (West)



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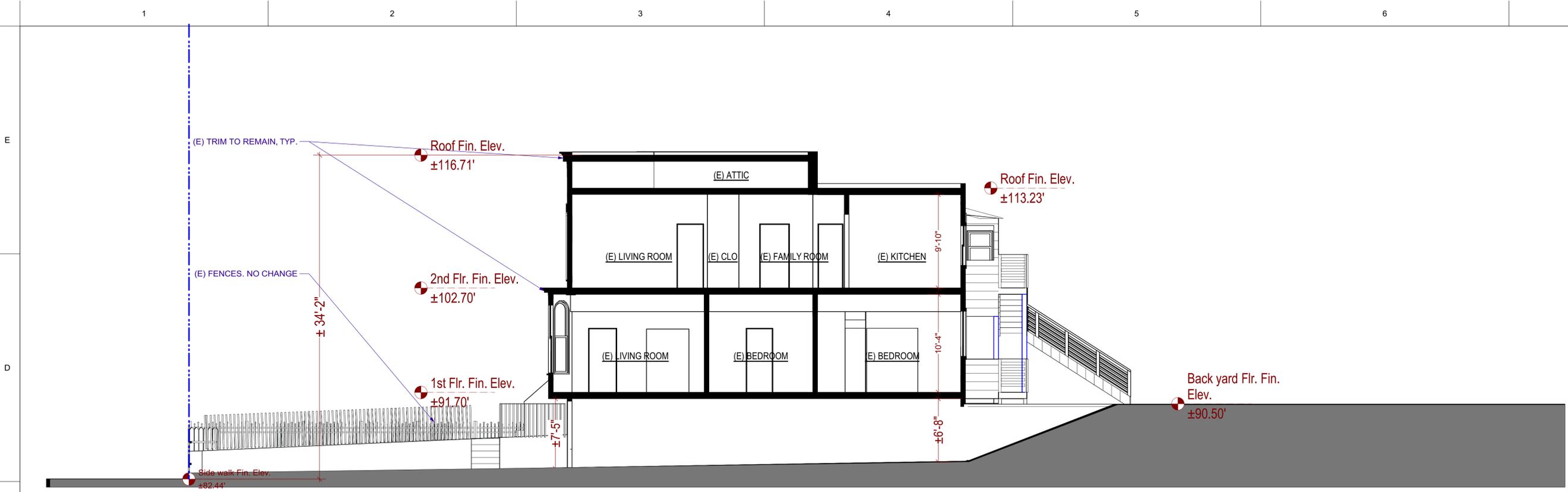
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SHEET TITLE

Sections



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| SHEET NO. | A-4.1 |